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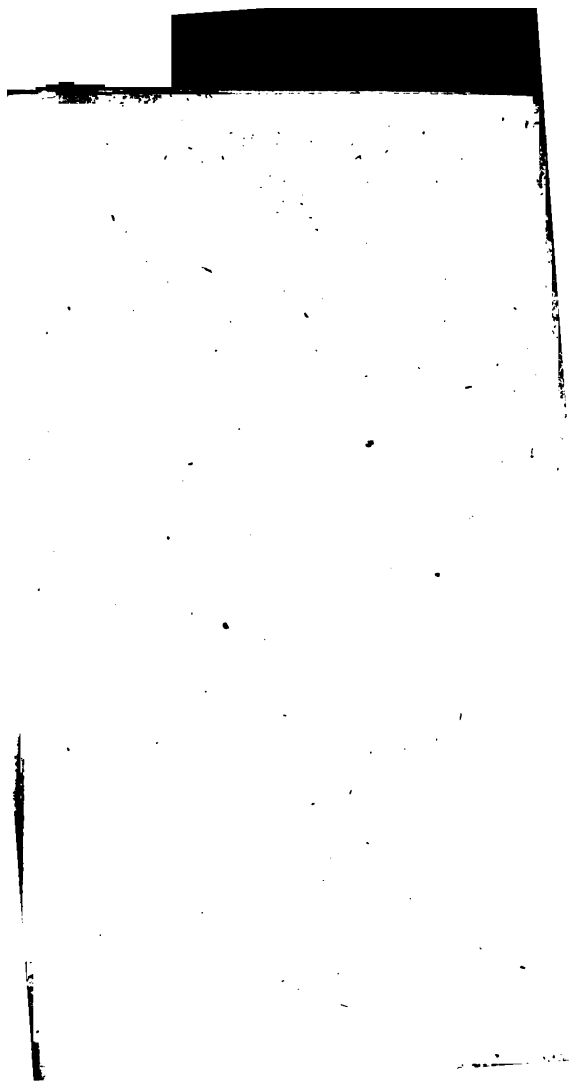
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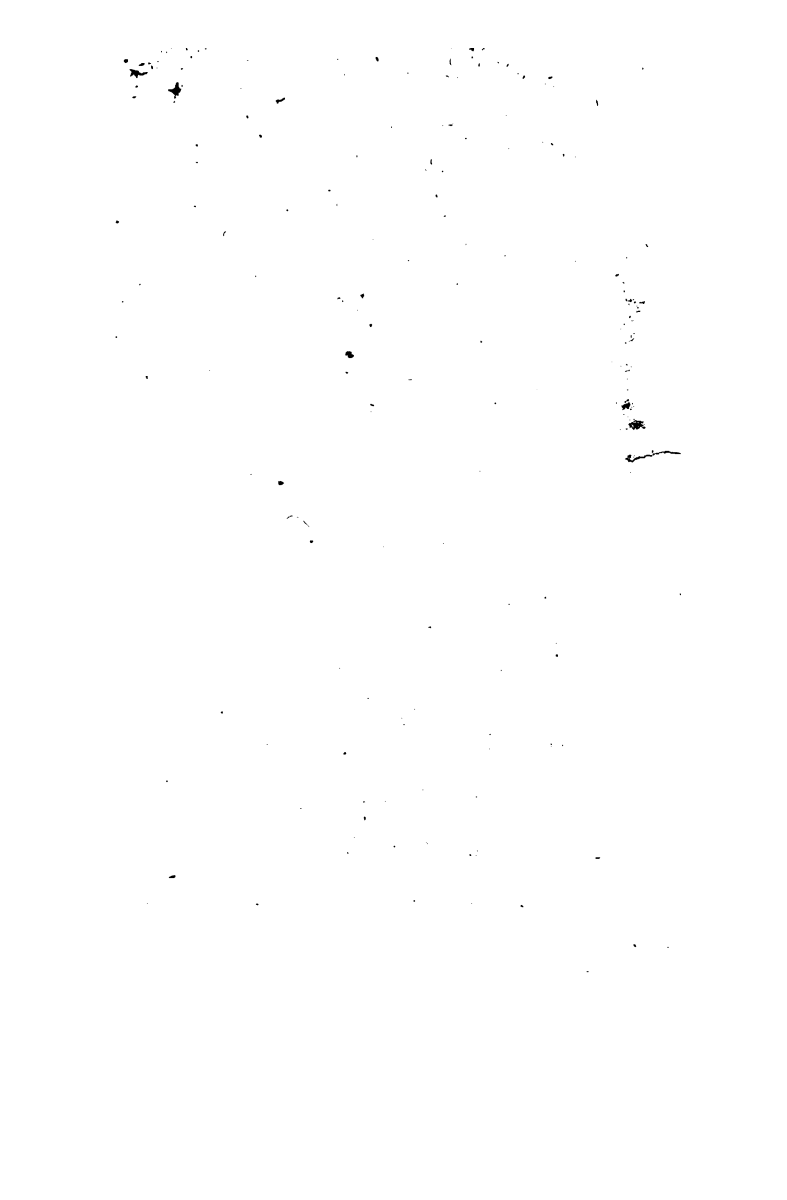
CONSTANTINE

AND

EUGENE.

(1113)







CONSTANTINE
AND
EUGENE,
OR AN
EVENING AT MOUNT VERNON.

POLITICAL DIALOGUE
BY JUNIUS SECUNDUS.



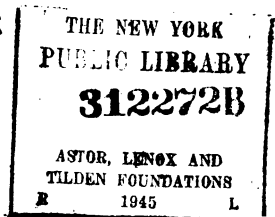
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M. DCCC. XVIII.

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Utopias.

1 = AH
2 = ED



*Chi vuole riformare uno stato antico in una città
libera, ritenga almeno l'ombra dei modi antichi.*

MACHIAV. Discorsi. Lib. I, C. 25.

*Nec preme, nec summum molire per æthera Currum;
Altiùs egressus, cœlestia tecta cremabis,
Inferiùs terras; medio tutissimus ibis.
Neu te dexterior, tortum declinet ad Anguem,
Neve sinisterior pressam rota ducat ad Aram;
Inter utrumque tene. OVID. Met. L. II, V. 135.*

ADVERTISEMENT.

THE composition of the following dialogue formed the recreation of the author during his travels in various parts of Europe. Such as it is, he submits it to the Public, hoping, that as the fermenting lees of the great political vat are now beginning to subside, they will be regaled with the taste of a rare and palatable wine. To obviate any inconvenient altercations, he has added that the right to the sale of the wine drawn off, is secured.



PERSONS OF THE DIALOGUE

CONSTANTINE, a native of Boston, a student of Civil Law, in the University of Cambridge (Massachusetts).

EUGENE, son of an English Settler in Stanton (Virginia) student of the School of Nature and Nations in the College of Williamsburgh.

SCENE OF THE DIALOGUE.

Mount Vernon (Virginia), residence of the late General Washington.

CONSTANTINE

AND

EUGENE.

EUGENE (*meeting Constantine on the lawn*).

Ah! my friend Constantine, how goes the world with you? Well met at Mount Vernon.

CONSTANTINE.

Well met at any place, Eugene; but I rejoice particularly at finding you here; for this is a spot which now begins to assume a certain classical celebrity. Sixteen years have elapsed, since its illustrious owner has exchanged the fleeting glories of this world for eternal happiness. His memory is engraved not only in the heart of every American, but of every lover of true greatness, be he of what nation he may.

Chiswick 15 June 1945

[REDACTED]

(2)

EUGENE.

No one can feel readier, Constantine, to sound his praises than myself. There was an antique grandeur in his soul, which we cannot easily hope to parallel in modern times.

CONSTANTINE.

He was the Timoleon of the NEW WORLD. Some months since, Eugene, I sailed from Boston with a friend to the Mediterranean; and though busied with commercial concerns, I contrived to find time to explore the curiosities and antiquities of Sicily. One of the most interesting objects I met with, was a small tract now covered with olives, and which a Syracusan pointed out to me as the site of the villa, whither Timoleon retired on quitting public life. I could not contemplate this spot, without associating in my mind, the names of Timoleon and Washington.

EUGENE.

Well, Constantine, if I want at any time

••• ••• •••

to my memory with the recollections of that great patriot and statesman, I shall not find it necessary to traverse the Atlantic. The treatment of Timoleon is, I suspect, not yet fully ascertained; here on the contrary every thing is certain: yonder is the spot where the founder of our Republic raised these are the catalpas planted by his hand, which emblematic of the American states, were some twenty years since, saplings, but now push forth vigorous shoots.

CONSTANTINE.

Let us sit under them, Eugene, and improve a little in the application of philosophy to politics, which is a noble exercise for the mind, and cannot be too much cultivated by those who have leisure, in a nation like our own, wherein the authorities executive and legislative, emanate directly from the people. Yes, Eugene, I am glad to have met this brilliant evening at Vernon; for I know not how it happened when I visit you at Stanton, I find

(4)

myself so surrounded by the wonders nature, that I feel considerable difficulty in fixing my mind to any abstract topic of discussion. You have, you know, in the neighbourhood of your charming cottage the Falling Spring, which tumbles nearly twice the height of Niagara; at no great distance, you have the Rock-bridge thrown so fantastically by nature over a frightful chasm; you have the bold peaks of Otter in the remote landscape; and not far from your dwelling, are seen the united streams of the Shenandoah and Potomac, struggling through a chain of the Alleghany mountains with a noise like thunder. Yes, Eugene, I will frankly confess that these scenes distract my too susceptible mind; and I rejoiced we have met this fine evening at the residence of our first President, where the calm features of the landscape gently stir the mind, without stimulating it violently.

EUGENE.

We could not have selected a better place.

Without further *exordium* then, what is your opinion of our scheme of civil polity?

CONSTANTINE.

I think it probably the noblest in the world.

EUGENE.

Is it not extraordinary, Constantine, that one of the most beautiful systems of government ever devised, should all at once have found its seat in the new Continent, and left all modern, I may add perhaps ancient, constitutions in the lurch?

CONSTANTINE.

If appears at first, I think, wonderful; but perhaps it may be explained by considering the progress of political opinion in the old continent, during the last century. The rational and cool-headed nations of Europe would probably, ere this, have adopted forms of government on similar principles to our own, had not the efforts of sound reasoners been blasted by the dire combustion of the French Revolution, which was

enough to intimidate any sensible people, and make them prefer an acquiescence in existing evils, rather than seek to remedy them, by incurring the risk of witnessing those scenes of horror and disturbance, which for twenty years and more, made France the bane and terror of Europe. It was indeed unfortunate for the old world, that Paris became the principal focus of political innovation towards the close of the last century; for the French, though a people highly susceptible and ingenious, do not appear to be gifted with sufficient patience to investigate those opinions, which it is of the highest importance should be carefully weighed, before they are propagated among the mass of a people. I suspect that the rudiments of our constitution were engendered by the collision of the best thinking minds both in Britain, and France, and that they lighted on the New World, just before the convulsions of republican France scared the old; something like those beautiful emanations of light, which *are sometimes seen to sport before a cloud*

fraught with thunder, and hideous explosion.

Much however as I am disposed to admire the basis on which our constitution is raised, I do not think that in detail, it is so perfect as might be wished. I remember, when we last met, you defied me to produce any scheme of civil polity, whether ancient, modern, or of my own invention, which could equal it. I have borne your challenge in my mind, and have occupied myself lately during my travels in the south of Europe, with chalking out the sketch of a constitution, which when you have weighed with candour, I hope you will consider not inferior to our own.

EUGENE.

I remember giving you the challenge two years since, and whatever may be my opinion of your production, I am glad at least to see that you have not been idle : But have you finished your proposed task ?

CONSTANTINE.

Here it is : open it, and read.

(Constantine gives a roll of papers to Eugene and retires to another part of Mount Vernon; Eugene opens them, and reads)

STATE TRICORPORAL

Consisting of

ONE ELECTIVE CONSUL.

A SENATE OF NOBLES.

A SENATE OF REPRESENTATIVES.

MODE OF CREATING THE CONSUL.

I imagine a Consul already elected. His office is septennial. Twenty days before the expiration of his consulate, writs of election are issued to the governors of the different counties, empowering, and commanding them to summon forthwith in the town-hall of each county-capital, a certain number of the principal land-holders, and fund-holders, natives and residents in each county (1).

(1) The number of electors sent by the different counties, should depend on the population and size of each. The largest or most populous might depute three *land* and three *funded* electors, the middling two of each; and the smallest or least populous, one of each. A similar *ratio* should be observed in the number of candidates for the electorate. Thus, the smallest or least populous

These writs of election will be signed by the Presidents of the two legislative chambers, with the state-seal annexed to each of their signatures. The governor of each county convenes as soon as possible, the number of individuals destined to ballot for the electorate in the town-hall; and the ballot is set about in the following manner, in the presence of the governor, and all the subordinate county-magistrates.

The governor's chair is placed at one end of the town-hall; on his right before him will stand the land-holders; and on his left opposite them, the holders of funded property; and at the further end, opposite the governor, the subordinate county magistrates. Ivory balls of equal size are thrown into an urn; part of these, corresponding

counties might depute to the town-halls of their capitals, twelve of their principal land-holders, and as many of their fund-holders, from each of which twelve, *one* elector might be balloted for. The middling counties then would furnish twenty-four *landed* and twenty-four *funded* candidates, from each of which twenty-four, *two* electors will be balloted for; and the largest, thirty-six of each description; from each of which thirty-six, *three* electors will be balloted for. The arrangement however should be so ordered, that the electoral college may at *least equal in numbers* the two houses of the Legislative.

in number with the electors assigned to each county, will be white; the remainder, black. The urn is then handed by the governor of the county himself, first, to the land-holders in succession, and the drawers of the white balls are the *landed electors elect*. In the same manner, the urn is handed successively to the fund-holders, and the drawers of the white balls are the *funded electors elect*. This done, the governor reads aloud the names of the electors chosen, and the assembly is dissolved. Without delay, he makes two official communications, one addressed to the President of the upper chamber, the other, to the President of the lower, certifying with his signature and seal, that A. and B. or as many electors as his county may be entitled to send, are duly elected electors of his county, subjoining their respective ages⁽¹⁾. The electors hasten to the metropolis, and present themselves to the Presidents of

(1) The electors should go out of the county-towns when they set off for the metropolis, with a certain state. They might be dragged in their carriages to the outskirts of the town, music playing, and colours flying. These little ceremonies would add life and interest to the minor towns of the Republic. But perhaps on their entry into *the metropolis*, they would do well to come in rather *incognito* than otherwise.

either chamber, that their persons may be identified. Two days before the expiration of the actual consulate, the electors convene in a large chamber appropriated for them, and contiguous to the houses of the Legislative. On the first day, they do not enter into any discussions respecting the qualifications of the candidates for the consulate; they only proceed to the recognition of each other, to the calling over names, and to the election of a President, which is done as follows : the twelve senior electors stand apart, and the President is chosen from them by ballot. He gives notice that the college must convene the next day at seven, A. M. At that hour, the President of the upper chamber goes in his coach, to the respective residences of the President of the lower, and of the President of the electoral college, and delivers to the latter, in the presence of his colleague, a box and key, containing the names of the candidates for the consulate, with their ages properly certified. They proceed in the same coach, to the electoral chamber, and the two Presidents of the Legislative will be the only strangers admitted, and neither of them will be entitled to votes. The members of the electoral college have met according to notice, in their appropriated chamber, and the mem-

bers of the two legislative bodies have been previously warned by their respective Presidents to convene in the upper chamber, at eleven A.M. on pain of arrest in case of absence. The President of the electoral college having on his right, the President of the upper chamber, and on his left, the President of the lower, enters the electoral chamber, and having placed the box on the great table, opens it, and reads aloud the names of the candidates. The two Presidents of the legislative chambers keep their seats, neither will it be lawful for any elector to address, or approach them. The different members then consult, either in separate parties, or collectively, on the qualifications of the different candidates. At the end of every hour, the President puts the question : « *Gentlemen, are your votes prepared?* » Which is answered by uplifted right arms, if in assent ; if in dissent by no signal. If there be but one unprepared vote, the consultation continues, and the question is repeated at the end of the next, or every succeeding hour. As soon as the assents are unanimous, the President of the electoral college lays on the table the names of the different candidates, and before each name, will be ranged a silver cup, each cup containing as many ivory balls

there are electors ; these balls will be of different colours : candidate A. has his cup filled with white balls, candidate B. with red, candidate C. with blue, and so forth. The President having selected the ball which he may be inclined to favour , and dropped it into the urn, takes his station by the left front angle of the table, with the urn in his hands, the aperture of which is so perforated as only just to admit one ball. The electors then advance towards the right front angle of the table one by one, and in the order as their names stand alphabetically ; each at his leisure selects his ball, and as he passes the President, drops it into the urn. As soon as all the balls are dropped, the President with the urn in his hands, followed by the whole of the electoral college, having on his right, the President of the upper chamber, and on his left, the President of the lower, proceeds to the upper chamber, where the two legislative bodies are convened, and remain waiting for the scrutiny. This chamber will be arranged as follows : a central chair will be placed at one end, for the President of the upper chamber, on his right, will be another, for the President of the lower, and on his left, will be a third for the President of the electoral college. The nobles &c

posing the upper chamber, will stand below in their robes on the right; and the members of the lower chamber, on the left. The candidate for the consulate will be blended with them, according as they may belong to one or other body, and without any exterior distinction. A partition at the opposite end, will be railed off for the members of the electoral college. The President of the electoral college then advances with the urn, and places it on the great table. He takes the balls out one by one, dropping them according to their colours, into as many chargers as there are candidates, and afterwards counts them with an audible voice. He shakes the urn to show that all the balls are taken out. If on the scrutiny, the number of balls should prove equal, the President of the upper chamber will be entitled to the casting vote, and will give by selecting what ball he may choose, and by dropping it into whatever charger contains balls of a similar colour. The predominating colour ascertained, and a clerk having registered the numbers of the different balls, the President of the upper chamber addressing from his chair the successful candidate, with his christian *sur-name*, and title if he has one, exclaims: "*A. or B. stand forth.*" The successful candid

takes his station on the right of the President
 of the lower chamber, and remains standing.
 The President of the upper chamber then ad-
 dressing the chief clerk, says : « *Proclaim the
 Consul.* » The clerk advances to the middle of
 the chamber , and with a loud voice thus
 proclaims him, holding with his right arm
 extended, between the fore-finger and the thumb,
 the predominating ball; the Consul elect hol-
 ding at the same time, and in the same man-
 ner, a ball of his own colour : « *I, A. or B. in
 the name of the high electoral college, do proclaim
 N. or M. duly elected sole Consul of Eunesos;
 N. or M. is therefore sole Consul of Eunesos.
 God preserve the Republic.* » The Consul steps
 forward, drops the ball into his own charger,
 and bows, first to the President of the upper
 chamber , secondly , to the President of the
 lower, and lastly, to the President of the elec-
 toral college. He retires to an adjoining room,
 and puts on his robes. The state-procession
 then moves to the cathedral church in the
 following order :

OFFICERS OF STATE.

THE CIVIC CROWN BORNE ON A CUSHION

THE CONSUL.

**THE PRIMATE, OR HEAD OF THE
CHURCH.**

**THE PRESIDENT OF THE UPPER-
CHAMBER.**

**THE MEMBERS OF THE UPPER-
CHAMBER.**

**THE PRESIDENT OF THE HOUSE OF
REPRESENTATIVES.**

**THE MEMBERS OF THE HOUSE OF
REPRESENTATIVES.**

**THE PRESIDENT OF THE ELECTORAL
COLLEGE.**

**THE MEMBERS OF THE ELECTORAL
COLLEGE.**

The civic crown is deposited on the altar. The church service follows. The Head of the church then advances to the altar, administers the sacrament to the Consul, and to him only places on his head the civic crown, and afterwards by questions, procures from hi

the promise that he will faithfully and religiously fulfil his duties to the Republic. The ceremony concludes with a sermon delivered by the Head of the church himself, in which frequently eyeing the Consul with firmness, he expatiates at large on the high and important trust, which has this day been committed to his hands, bidding him consider, that the happiness or misery of millions may depend on the good or bad use which he may make of it, on the wisdom or temerity of the counsellors whom he may appoint; that the consulate has been conferred upon him, by the suffrages of the elect of his countrymen, as a testimony of the exalted sense which they entertain of his moderation, judgment, and integrity; that it behoves him to fulfil their expectations, by having three objects incessantly before his eyes, the purity of the ecclesiastical establishment, the dignity of the laws, and the honour of the arms of the Republic. On leaving the cathedral church, the electoral college is *eo instanti* dissolved. The next day, the Consul will be openly proclaimed throughout the metropolis. The ceremony will be as follows :

OFFICERS OF STATE.

THE BAND OF THE CONSULAR GUARD.

THE PROCLAIMER.

THE CONSULAR GUARDS.

QUALIFICATIONS OF AND RULES TO
OBSERVED BY THE CANDIDATES IN
THE CONSULATE.

1. *Every candidate must belong to one or other Legislative Chamber.*
2. *Every candidate, if of the Upper Chamber, must have held his seat six years at least ; if of the Lower, twelve years at least.*
3. *Every candidate must be a land-holder in the country which is the seat of government.*
4. *Every candidate must have attained age of forty-three years ; neither his age exceed fifty years.*
5. *Every candidate must profess the religion of the established Church.*
6. *No person can fill the Consulate more than once.*

1. *Any person intending to be a candidate, must give in a certificate of his age enclosed, to the President of the Upper-Chamber, within the space of fourteen days, dating from the issue of the writs of election.*
2. *The President of the Upper-Chamber has all such communications made in private ; and he, as well as each candidate, is bound by reciprocal oaths to inviolable secrecy.*
3. *The Presidents of the Legislative Chambers, and the principal legal functionaries of the Republic cannot be candidates.*

PREROGATIVES OF THE CONSUL.

1. *His office is septennial.*
2. *He is Captain-general of the armies, and High-Admiral of the navies of the Republic.*
3. *He names the ministers, receives and names Ambassadors, convenes and prorogues the Legislative Chambers, but cannot dissolve the Lower.*

4. *If he be of the Upper-Chamber, on quitting his office, he assumes as his right and without any creation, the ne higher rank of nobility, if he has n already the highest; if he be of i Lower, he takes as his right the low rank of nobility, and seat in the Upp Chamber.*
5. *On being named Consul, he assumes his right, (if it be not before co ferred) the civil order, first class.*

**PREROGATIVES OF THE HIGH ELECTORAL
COLLEGE.**

1. *Every candidate for the Electorate mu have passed the age of thirty years.*
2. *No candidate can belong to one or oth Chamber; neither can he hold any pe sion or office, civil or military, una the Government.*
3. *It is high treason to kill, or comm assault or battery on the person of a Elector, during the time that he such.*

4. *No Elector can sue, or be sued in a court of law, neither can he be arrested for debt, or imprisoned, during the time that he is such.*
5. *The electoral college can only be convened twice; once for the election of its own President; secondly, for the creation of the Consul.*

PREROGATIVES OF THE SENATE OF NOBLES.

1. *It is permanent, and hereditary.*
2. *It will consist of the Primate, or Head of the Church, Bishops, Dukes, Marquises, Counts, or Earls, Viscounts, and Barons.*
3. *The sons and daughters of Nobles of whatever description, will have no titles by courtesy; and the eldest sons succeed to the titles, and seats in the Senate, on the decease of their fathers.*
4. *No Noble can be created without the concurrence of the Consul, and the Presidents of both Chambers, who will represent in the creation, the tricorporal state;*

and if there be one dissentient among the three, the title of no cannot be conferred.

5. *The President of the Senate of 1 is Chancellor of the Republic, other words at the head of the He is elected by the Senate itself, if he be a commoner, assumes a right, the lowest title of nobility*

PREROGATIVES OF THE SENATE (REPRESENTATIVES.

1. *It is elected every four years, and e of itself, every four years.*
2. *It chooses its own President.*

THE ECCLESIASTICAL ESTABLISHME

1. *It will be founded on the religious nion of the majority of the people*
2. *It will consist of the Primate, or H the Church, Bishops, Deans, Ca Prebends, Rectors, and Curates.*

**MODE OF CREATING THE HEAD OF THE CHURCH,
AND OTHER ECCLESIASTICAL DIGNITARIES.**

1. *None but Bishops can be candidates for the supremacy of the Church.*
2. *Every candidate must have attained the age of forty-five years at least.*
3. *The successful candidate is chosen for life.*
4. *I imagine a Primate already elected. At his decease, writs of election are issued from the office of the Minister of the interior department, commanding the Deans, Canons, and Prebends of the different dioceses to rendezvous immediately in the metropolis. They meet on a stated day, in the sacristy of the metropolitan cathedral. The senior Dean is President. The names of the candidates have been previously given in to the Minister of the interior department, who consigns them in a letter to the presiding Dean. In the presence of the assembly, he opens the letter, and reads the names of the candidates. He then presents a paper*

with different columns, at the head of each of which, are inscribed the names of the different candidates. Each of the electors in succession, writes his name in the column, which he may be inclined to favour ; the President afterwards counts the votes, and according as the majority inclines, proclaims A. or B. duly elected Head of the Church, which he communicates officially by letter to the Minister of the interior department. The rest of the Bishops will be appointed per literas consulares, empowering the Dean and Chapter of such and such cathedral to elect A. to such and such diocese. The Deans, Canons, and Prebends, will be appointed by the Consul's Ministers. The Rectories will be filled by those of the people, in whose hands the patronage may be vested ; the curacies, by the appointment of the Rectors.

CONSTANTINE'S ADVICE TO THE HIGH ELECTORAL COLLEGE ASSEMBLED FOR THE CREATION OF THE CONSUL.

- As soon as you are balloted for, o electors, proceed with all despatch to the metropolis, and present yourselves to the Presidents of the two Chambers, that your persons may be identified.*
- 2. Previous to the election day, if any of you choose to meet to discuss the merits of the most deserving individuals of the Republic, likely to become candidates, take care that no stranger be present; but whatever opinions you may be inclined to form at such meetings, keep your minds in complete suspense, till the day of election.*
- 3. Engrave well in your memories the law, which I now propose : « Whoever solicits
« any of the electors either by bribery,
« personal interview, or any other manner, a vote or votes, either for himself, or in favour of another, shall be
« amenable to the fine of 10,000 L. or*

*« imprisonment till the sum be paid.
Also : » Any elector having any
« communication made either personally,
« ly, or by letter, and who conceals
« same communication from the President
« of the Upper Chamber, shall be
« amenable to the like punishment*

- 4. If on good authority, you hear that a secret conditional arrangements have been made by any candidate, or candidate, to establish it as a fundamental law, you should instantly to withdraw your votes from*
- 5. Never choose a military man, whose exploits have been so brilliant, as to eclipse the services of the rest of his country, for by so doing, you would endanger the liberties of your country; not perceiving that you should wholly disregard the military or naval commander, whose services stand not too prominent; who have proved not only vivâ voce by their conduct, that they always considered their professional services as subordinate to their civil duties; and*

short, can brandish the tongue, as well as the sword, and have known how to cut their way to the executive, through the serried files of syllogisms and enthymems. But in general you will do well to steer clear of the army and navy; for the career of mind pursued by the followers of those professions would harmonize ill with the duties of the chief magistracy. Montesquieu says with truth : « Une armée méprisera un sénat, et respectera ses officiers. » It is not then from such a body, that you would select the chief magistrate of a tricorporal state.

6. *As soon as you are convened on the important day of election, do not think it necessary to make formal speeches, or a display of your eloquence; but converse unaffectedly and amicably on the merits and demerits of the different candidates. Take no account of private friendships in these matters. Leave all weakness of heart at home, and carry into the elec-*

toral chamber nothing but stubborn, independent mind. If you act otherwise, you will prove yourselves but half men. Finally, reserve your votes for him, who has been attentive to the interests of the Republic in one or other Chamber; who has proved himself to be a man of weight, who unites to affable manners, and good address, a sound judgment, and love for the truth.

7. *One word more, o Electors, and I have done. We have an old adage : « Set a beggar on horseback, and he will ride to the devil ; » Which I will beg leave to paraphrase for your advantage : « Set a narrow-minded, low fellow in the curule chair, and he will drive himself, and the state to the devil. » Finally, the words « civil merit » cannot make in your minds and hearts too deep incisions.*

CONSTANTINE'S ADVICE TO THE REVEREND
DEANS , CANONS , AND PREBENDS , ASSEM-
BLED TO ELECT A HEAD OF THE CHURCH.

1. *Cast your eyes, reverend electors, on that man, who has filled the subordinate stations in the church, which he may have held, with single-heartedness and diligence ; who is learned, without pedantry, eloquent, without ostentation ; cheerful without frivolity, and pious without bigotry. Attach no particular importance to high birth.*

CONSTANTINE'S IDEA OF THE BEST SYSTEM
OF EDUCATION FOR THE FORMATION OF A
CONSUL.

1. *I imagine that about the age of eighteen, a young man of good connections is sent to the university. The first year he will devote principally to the mathematics. Studied for a short time, they are found to steady the mind, and strengthen the reasoning powers. The second, third, and fourth years, will be devoted to the following studies : ancient and modern*

history; Aristotle's politics; the rhetorical works of Cicero; his choicest orations, those of Demosthenes and Æschines on the Corona, and one or two of the Olynthiacs, translated with the pen. Study of the Decads of Livy, Annals of Tacitus, Herodotus, Thucydides, and Plutarch's Lives.

Degree conferred by examinations in the studies of the three last years — He quits the university, and enters a court of law — Evenings devoted to good company; mornings, to the study of the elementary treatises on the laws of his country, and the speeches of its most distinguished senatorial and forensic orators — The French and Italian languages completely mastered, and idea of the Fine Arts acquired, and improved at his leisure — Fills the secretaryship to an embassy — Books for his companions, Esprit des Loix, Machiavelli, Puffendorff, Grotius, Amelot de Houssaye, Wicquefort, and d'Ossat

Good foreign society frequented as much as possible — Recalled — Returned member for a county, or borough — Commences his labours in the Lower Chamber — Mind gradually developed therein. — Named by the actual Consul one of his ministers — Ætat : 43, to 50, a completely qualified candidate for the Consulate — Elected Consul by the great majority of balls, and with the universal congratulations of his country — Makes way for his successor, and takes his title and seat in the Upper Chamber — Occasionally joins in the debates, and not unfrequently consulted by his successor's Ministers — Universally respected — Death — Funeral honoured by the attendance of both legislative Chambers. — Funeral sermon preached by the Head of the church — Orations delivered to his memory in the senates of the universities. — Monument erected in the chapel allotted to the Consuls. — Acts of his Consulate consigned to History.

CONSTANTINE (*returning to Eug*

Well, Eugene, what do you think of the sketch as it is, for my imaginary Eunesos? I hope you will not put it in the rodomontade manner that Pichon reads to his readers, when he asserts :

« For forms of government let fools contend
That which is best administered is best

which is much as satisfactory as a student were to interrupt the discussion of an assembly of clock-makers, by recommending the best method of constructing watches, by remarking with a grave face

« For modes of making clocks let fools contend
That which most regularly goes is best.

EUGENE.

Why upon the whole, I do not disprove of it. But as you told me, it is only an outline; nevertheless, I hope by the suggestions which I propose to put, a

answers which I expect to obtain, I shall be able to form a complete idea of your meaning. I remark that your proposed constitution is triform; are you of opinion that that is the best species of government attainable?

CONSTANTINE.

Decidedly, Eugene. The efforts which civil polity has made to attain perfection, appear to me to have been directed to this point. The Athenian scheme of civil polity may be said to have been imperfectly triform. The Archons, the Council of the Five Hundred, and the *ecclesiai*, or the assemblies of the people, were the three predominating features of the Attic commonwealth. The duties of the Archons appear to have been principally judicial; the prerogatives of the Council of the Five Hundred were deliberative, and the executive power checked to a certain degree by the Senate, appears to have been vested in the *ecclesiai*. The Areopagus may be said to have corresponded with our supreme court

of judicature, with some other prerogative which entitled it to an occasional interference in the administration. Potter marks that the Spartan constitution a great affinity with that of Britain, except that there were two holders of the executive power instead of one; he might have remarked this difference, that they had Ephori to follow them from place to place, and act as spies upon their conduct. The elements of the Carthaginian constitution were three-fold : the Suffetes, Senate, and the People. The centumviri were magistrates vested with judicial authority, and cannot be said to have interfered either in the executive, or legislative departments of the state. The Roman Commonwealth may be called triform : the Consuls, the Senate, and the Tribunes, were the organs of the people, formed the three bases of the constitution. The Dictatorship was an office apart, and only resorted to on urgent occasions.

EUGENE.

receive clearly the rudiments of a
oral state in the Spartan, Carthagi-
and Roman constitutions; but can
consent to call the Athenian, triform.

CONSTANTINE.

is more imperfectly so, I grant, Eu-
than the others; still I think, the
«a tricornis umbræ» is apparent.
ing imperfectly triform is the very
why Machiavelli accounts for its
duration than that of Sparta, which
ed in a flourishing condition for
hundred years, and preserved its
elements; while the Athenian, even
the death of Solon, made way for
ranny established by Pisistratus.

most effectual steps then that civil
took to attain perfection in antiquity,
according to Aristotle, in Crete, Car-
Sparta, and Athens. Rome profited
he expulsion of her kings, from the
«s held out to her by these states»

but at the fall of the Republic, civil polity became suddenly retrograde : « *in servitium ruebant omnes* » ; neither I believe, does History dwell on any signal effort to establish either in Italy, or the rest of Europe, any form of government, which emanated from the people, and had their welfare its direct object, till the rise of the Republic of Venice, towards the commencement of the fifth century. We find that for two hundred and fifty years, the Venetians were governed by tribunes elected from the people, who ultimately grew tyrannical, and were compelled by the general concurrence of the inhabitants of the *Lagune*, to make way for elective Doges, who with the Senate and Grand Council, formed the triple basis of the constitution. Venice appears to have set the example to many of the minor Italian States to establish schemes of government on true principles; several of these States were small, and consequently well adapted to the republican form. *Many of them were swallowed up by the gradual aggrandizement of the Pontifical.*

Florentine, and Neapolitan States. The efforts of the enlightened inhabitants, and especially of the minor Republics, to found a system of federative States throughout Italy, were perpetually blasted, partly by their mutual jealousies, partly by the intrigues of Rome, and chiefly by the iniquity of France, Austria, and Spain, which made that fine country for so long a period, the scene of their contentions. — While Italy was presenting this sad spectacle, civil polity was always making slow and difficult attempts to gain perfection in Britain. She was more indebted to the Saxons, than to her Magna-Charta, or her Bill of Rights for it was they, who laid the corner-stone of her triple constitution, composed of two legislative bodies, and an *elective* chief magistracy. Notwithstanding however the corruptions introduced by the Norman conqueror, civil polity made constant struggle to meliorate its condition, and finally effected a brilliant triumph in Britain, by the famous arrangements of 1688. For it is then, that the prerogatives of the exec

and legislative powers were clearly defined and as the quota of intellect diffused among the *mass* of the people, does not appear at that period, to have been very great, nothing seemed to be wanting to the perfection of the system. Intelligence, that ever stirring principle in our natures, was however towards the middle of the last century, actively at work, especially in France, where the abuses practised by a government ill-suited to the intelligence of the people, cried loudly for reform. The brilliant theories started in France, however, Eugene, were not well adapted to the genius of the people, who were too volatile, too liable to act from the first impulse of passion, to derive substantial benefit from the inquiries of their most enlightened philosophers and politicians. The dreadful ferment which took place in consequence of the overthrow of the religious and civil institutions of the country, effected with the pretext of *reform*, is too well known; and it would appear, that it was reserved for our States to profit, as well from the errors, as from the wisdom of the old world.

EUGENE.

And what is it that makes you so partial to our scheme of civil polity?

CONSTANTINE.

The great advantage which our government arrogates over most of the old world, Eugene, consists in its elective chief magistracy, conferred for a limited period on an individual of civil merit.

EUGENE.

And what are your reasons for thinking an elective, superior to an hereditary chief magistracy?

CONSTANTINE.

In estimating all systems of civil polity, Eugene, regard must be had to the genius of the people, and to the quota of intellect afloat. Where the genius of a nation is apt to resolve itself into nothing but a love of military glory, an elective chief magistracy would not in that case be desirable; and we see *what an endless ferment agitated*

Rome, not because she had elective Consuls, but because the basis on which her politics were built, was too military. The Consuls often headed the armies in person and led them to victory; and this was the great defect of her otherwise beautiful scheme of government. Aristotle, who analysed upwards of one hundred systems of government, bestows unqualified praise, on an elective chief magistracy, and particularly on that form of government, which we call a Republic; he dwells with much complacency on the Punic constitution because to use his own words: « *The strong claim of merit is preferred to all other considerations, in ascertaining the title to the Carthaginian throne.* » Machiavelli appears to have been aware of the evils incident to states, from an hereditary chief magistracy. I have transcribed somewhere in my pocket-book, his sentiments in one of his *Discorsi*; here they are: « *After it was determined to have hereditary kings, their heirs degenerated from the virtues of their ancestors, and not thinking it worth while*

*themselves about virtuous deeds, they
 t that Princes had nothing else to do but
 ass other men in magnificence, and the
 vent of the pleasures of life; whence it re-
 , that beginning to be despised, they
 nsequently hated, and saw in that ha-
 tives for fear. From fear, they soon
 to make unjustifiable aggressions on
 ights of the people, which finished
 he establishment of a complete despo-
 then naturally followed conspiracies.»
 is Prince too, I remember, he is strong
 predilection for an elective chief
 racy, a work in which we might na-
 expect to find other doctrines : « *He
 tains the chief magistracy;* » says he,
*ugh the favour of the people, stands
 t his elevation, and of those who sur-
 him, there are few or none unwilling
 him.* » Montesquieu, in his celebra-
 apter respecting a tricorporal state,
 here says that the chief magistracy
 l be hereditary; it is true he uses
 ord « *monarque;* » but he does not
 that the power at his death, should*

devolve to his son, daughter, or no he affirms positively that, « *le corps des doit être héréditaire ;* » had he the same of the holder of the e power, he would no doubt have been explicit. It is pretty plain that he *en* the superiority of an elective chie tracy; having been naturally a tir the reasons why he was not more in his sentiments, are sufficiently cl Germans, from whom the triform s government is derived, we learn f citus, elected their princes. Not o will be found in that historian, re the power being delegated from f son, as a matter of course. Their cl gistrates were elective, as well as th ordinate. They almost appear to h ved, that even in those barbarous ag had sufficient discrimination to c that power ought not to be vested same person, for too long a perio that it could not have due weight *conceded* by the people. The Roma *Eugene*, had neither absolute, no

tary power; their authority, and elective. They had no legions; neither could they maintain peace, without the concurrence of the senate and people. Had the Romans, after the expulsion of Tarquin, set a limited period to the office of chief magistrate, call him King, Cæsar, or what they might, they would have enjoyed a more perfect form of government than under their two annual magistrates. Even in the more degraded periods of their history, they sometimes had recourse to the policy of preserving the semblance of an elective sovereignty; and we accordingly find Galba, in his speech of declamation before the senate, in the oratory of Piso, as recorded by Tacitus, contrasting on the advantages of a consular magistracy conferred by the people, and marking what miseries accrued from the hereditary succession of the Cæsars, and especially we find him promising, that should he be elected by the voices of the people, he would do all that lay in

er to conduct himself to their satisfaction. When the British, Eugene, were under the Saxons, their kings were *elective*. An elective sovereignty with the Wittenagemote, which however rude and imperfect was the origin of their two present houses of Legislature, were the two great arches on which the fabric of their constitution was raised. It was the Conqueror who violated the primitive bases of the British constitution, and whether it is to be attributed to the people having been panic-struck by the invader's sword; to their own indifference, to the intrigues of the court of Rome; or subsequently to the ceaseless ferment, in which their minds were kept by the crusades, and wars with France, they have never been able to restore their scheme of civil polity to its original purity. Of modern states, Venice, and Genoa appear to have reaped the greatest advantages from their elective Doges; their annals are far more interesting than those of the other Italian States; and if we have the solitary exception of Poland suffering from it

consequences of its throne being elective; it must be attributed to the stupidity of the arrangement, to the want of intelligence and patriotism in the inhabitants, who could tamely endure to see their sovereignty vested, as in the Jagellons, with the pretext of being elective, and when really so, from the unfortunate geographical position of the country, generally contended for by foreign princes. It remained for the United States of America to put the last seal on the superiority of an elective chief magistracy; and our government now begins to form an illustrious and unanswerable precedent. Notwithstanding that numerous and flagrant faults have been committed, the progress of our prosperity, though it has experienced some checks from our eagerness, and ambition to figure as a first-rate nation too early, is unparalleled in the annals of the globe. Our Presidency is not hereditary, because the evidence of all history proves, that states suffer from the too long monopoly of power in the same hands, *that races deteriorate, and that power*

was not made for one man to hold for too long a period; neither do we suffer our chief magistrate to be named by any body of nobles, because, as Machiavelli says, *« he who attains the supreme office through the great, holds a more precarious power than him who acquires it through the people; »* Neither is it conferred by the unanimous voice of the people, for exclusive of the great length of time it would require to get at their votes, the minds of the lower classes are not sufficiently qualified by education and study, to be altogether competent judges of the qualifications requisite for the chief magistracy. By whom then is our Presidency conferred? *By the elect of the people*; the purest source from which it can flow.

EUGENE.

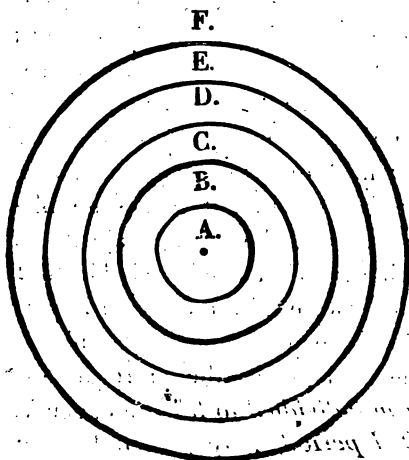
I am glad to see that you are so staunch an advocate for the elective system. But you said in estimating all governments, regard must be had to the quota of intelligence afloat, did you not?

CONSTANTINE.

A most important point to be taken into consideration, Eugene. The jacket and trousers of the boy will not fit the man; neither will the habiliments of the latter suit the stripling. You would not, I apprehend, think of establishing such a form of government as our's, all at once in Patagonia, or on the banks of the Orinoco; neither to go to the other extreme, would it probably answer in a country, like France, where the genius of the people is too apt to resolve itself into military *furor*, and where there are at least nine chances out of ten, that a military man would fill that situation, which ought only to be reserved for pure civil merit. But in a state like our own, wherein the great majority of the inhabitants are attached to civil institutions, and are aware of the extreme importance of always keeping the military subordinate to the civil power, the prerogative of naming an individual to fill the executive for *limited period*, may be safely vested in

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the hands of the elect of the people. « *Dans la naissance des sociétés,* » says Montesquieu « *ce sont les chefs des républiques qui font l'institution ; c'est ensuite l'institution, qui forme les chefs des républiques.* » Here is a theorem which I sketched the other day while walking in your shrubbery at Stanton ; it will serve to illustrate the relation which different systems of civil polity bear to the degree of intelligence propagated among a people.



Let A represent the *punctum saliens* of political intelligence with man in a savage state; we will imagine it gradually to expand, and to be circumscribed by circumference B, which shall express the mind which elects for sovereign a military chief. The circle C shall define the intelligence which establishes the feudal system, when the power of the sovereign is divided among rival military chiefs. A third expansion of political science which crushes the feudal system, and establishes, under civil regulations, an absolute hereditary monarchy, shall be expressed by circumference D. A fourth *fluent* of intelligence which adopts a tricorporal state, with an hereditary sovereign, nobles, and elective representatives, shall be expressed by circumference E. A fifth, which preserves the tricorporal form, and elects an individual of civil merit for the chief magistracy, with limited power, and for a limited period, shall be expressed by circumference F. I do not mean to assert, that every nation necessarily runs this career; but it is pretty clear that in general

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terms, the concentric circles will illustrate the gradual development of political perfectibility. It is then obvious, how low in the scale the military system ranks, and that if a nation, as soon as it had expanded its *lumières* to F. were disposed to elect a military chief to the chief magistracy, it would be making a retrograde movement to barbarism, and had far better be satisfied with an arrangement expressed by circle E. or even D. All beyond F. appears to me, in the language of the poet, to be

« A dark
Illimitable ocean without bound,
Where Chaos ancestor of nature holds
Eternal anarchy amidst the noise
Of ceaseless wars, and by confusion stands. »

EUGENE.

Your epicycloidal theorem, Constantine, though not geometrically proved, is very satisfactory. But before I question you respecting your constitution, I wish to know *your opinion* respecting the policy of *federative states*.

CONSTANTINE.

ng, I apprehend can be more judi-
 an our federal system with sepa-
 slatures. The genius of the people
 al of the states is very different;
 as themselves are of considerable
 nothing can touch us from this
 the Atlantic. But supposing that
 public consisted only of Virginia,
 vania, and Rhode-Island, and that
 itory lay contiguous to a greater
 wer; in that case, the policy of
 te having separate legislatures might
 h questioned; for it might open
 to the intrigues of the rival po-
 nich would therefore more easily
 sentions between the three states,
 mately, to use a phrase of Machia-
spagnerebbale. » No, in that case,
 slatures should be united, and the
 lis of the greatest state should be
 of government,

EUGENE.

pposing that a nation, with a consti-

tution like that which you propose, lay contiguous to a greater rival power, are you of opinion that it could stand ?

CONSTANTINE.

Not only stand, but become stronger from the rivalry. « *Carthage et Rome,* » says Montesquieu somewhere, « *s'intimiderent l'un l'autre, et s'affermirent ; chose singulière ! Plus ces états ont de sûreté, plus comme des eaux tranquilles, ils sont sujet à se corrompre.* » If Mexico were to become a rival power to our states, it would probably be found to contribute to their stability and prosperity ; for she would check that stupid policy nourished by our cabinet, of aggrandizing our states already too large.

EUGENE.

But are you of opinion, Constantine that the republican form of government could with safety be adopted by a state of considerable extent, and population ?

CONSTANTINE.

Provided education had made a gr

progress in that state, and provided the genius of the people were not too military, certainly, and with the greatest advantages. It is true that Montesquieu says, *« il est de la nature d'une république qu'elle n'ait qu'un petit territoire; »* and the size of the Greek Republics tends to validate his assertion; most of the modern Italian Republics also add weight to it. But what shall we say of Rome, from the termination of the war with the Samnites, to the battle of Pharsalia, (though from her system of policy pursued, she did every thing unconsciously perhaps, in her power to destroy the essence of true republican spirit), was her territory so small? What of the dominions of Venice, which extended from the Adda to Trieste, which included the whole of Istria, and that long line of coast from Zara, to the Bocche di Cattaro, the Dalmatian islands, to say nothing of the Morea, Cyprus, Candia, and the Negropont, which though ultimately wrested from her, she possessed for a considerable period? But if neither Rome, nor Venice

will influence your opinion, what shall we say of our own states, the great majority of which may be called any thing but small? After all, I suspect it will be found that Montesquieu assigned in his opinion small limits to republics, rather from the impotence and defects of legislation, when those, which were his examples, flourished, than from any necessity of their being very limited, either in extent or population.

EUGENE.

But are you of opinion that an old state which had been for several centuries under hereditary kings, could with safety be transformed into a republic?

CONSTANTINE.

Every thing would depend on the genius of the people; if they were degraded and servile, if they were afraid to think for themselves; if they were, unable to separate civil from military merit, if they thought more of tinsel and glare, than of respect due

able activity of mind, they had better
 a change; if on the contrary, they
 capable of self-command, and could
 h satisfaction, merit promoted to
 preme station, with order and re-
 ensured, they would reap the most
 advantages from the establishment
 all constituted republic.

EUGENE.

you not however of opinion, that
 ret of a triform state with an he-
 7 executive, consists in the conflict
 interests of the people with those
 overreign, and that it is from the strik-
 this flint and steel, that the Pro-
 n fire is elicited, which vivifies the
 of the body politic ?

CONSTANTINE.

of that persuasion; but do not imagine,
 suffer yourself to be persuaded that
 neficial action and reaction would
 akened in any material degree, by
 tion of an elective chief magistrate.

Because the Consul is a man of merit, it does not follow that the ministers whom he appoints, should resemble him; but granting that they do, there will always be variety of opinion enough on public measures, to nourish and elicit eloquence. Never, I say, suffer yourself to be cajoled by this reasoning, which the lovers of indolence, and hereditary stocks, will always take excellent care to propagate as industriously as possible. The struggle between the people, and the actual holders of patronage and power, would still exist, with an additional stimulus administered to eloquence and integrity, by the hopes held out of filling the first office in the state.

EUGENE.

Now that I have got your opinion respecting the superiority of the triform system of government, of an elective chief magistracy, and of the feasibility of a republic in a state of no small dimension I shall proceed to analyse your proposed constitution; and first, with regard to y

chief magistrate, whom you call *Consul*; I observe that you propose his office should be septennial; why so?

CONSTANTINE.

Montesquieu has somewhere, I remember; « *dans toute magistrature il faut compenser la grandeur de la puissance par la brièveté de sa durée.* » A mean should be observed; for if you make the period too short, you will be unable to have benefit to bear with a proper effect on any part of the Republic. The Athenians seem to have been aware of this, who at one period, made the office of their Archons decennial; the office of the Venetian Doges was in the other extreme; it was conceded for life. Our Presidency is, as you know, quadrennial; a period, which I think rather short than otherwise. I have fixed on the mean between Athens and America; if you were to suggest eight, or even ten years, *non valde repugnarem.*

EUGENE.

Let it rest seven years; « *medio tutis ibis.* » As for any thing annual, like the fetes of Carthage, or the Consuls of Rome, it would be absurd. They were so warm in their seats, before the cabal and intrigues of the candidates for the succeeding Consulate sounded in their ears. You remember no doubt, that there were two Suffetes at Carthage, and as many Consuls at Rome, why are you satisfied with one?

CONSTANTINE.

Nothing easier to answer, Eugene. As to the interior policy of Carthage we know but little; but any one who has read Roman history must be aware that in consequence of there being two Consuls the administration of the government had many obstacles thrown in its way. Cicero found great difficulty in repressing the Catiline conspiracy, on account of the checks which he experienced from his colleague ANTONIUS.

EUGENE.

But why do you assign to him the Roman title *Consul*? I am afraid you are one of the *servum pecus* of legislators.

CONSTANTINE.

Quia consulit Reipublicæ. Give me a better reason. He who would object to it because of Roman origin, might with as good a plea, wish to repeal the title of *judge*; because forsooth the Romans had their *judices*, from which word our's is derived. But the title *Consul* has you are aware, in modern times, been bestowed on certain commercial agents; to prevent then any confusion in my Republic of Eunesos, I would assign to these latter, the title of "*Factors of the Republic.*"

EUGENE.

Well, I see I have no reason to object to your title of *Consul*. But I have some questions to put with regard to your mode of his creation. You know that by *Art. II, Sect. I.*

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of our Constitution, each of our states entitled to appoint as many electors for Presidency, as it sends senators and representatives to Congress. Are you of opinion that your proposed method of getting the electors is superior, or as good?

CONSTANTINE.

Constituted as the American Republic nothing, I think, can be more judicious than the mode of naming the electors delegated by the different states. But you should bear in mind, that my constitution was sketched for an imaginary state, not composed of separate legislatures, and not possessing a federal Congress; it was then necessary for me to devise some new expedient for the nomination of the electors. My selection of the voters from the greatest landholders and fund-holders of each county, not decided upon without reflection; their being men of the greatest property in each county or district, implies, that they had the advantages of a good educa-

and that consequently they will carry minds well adapted for judging of the qualifications necessary for the Consulate.

EUGENE.

But are you not of opinion that universal suffrage would be more equitable?

CONSTANTINE.

I place, Eugene, universal suffrage, equalization of property, annual election, and *id genus omne* of political speculations, among those dangerous deliria which bewildered France towards the close of the last century, and made her a prey to anarchy, and finally to a military despotism. I hope you will agree with me in thinking, that the draft of electors from the elect of the people is the most advisable plan; which has been in effect adopted by our own states. The mass of the people is generally right with respect to its discernment of merit. « *Si l'on peut douter*, » says Montesquieu, « *de la capacité naturelle qu'*

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le peuple pour discerner le mérite, aurait qu'à jeter les yeux sur cette situation de choix étonnans, que fit Athéniens et les Romains ; ce qu'il tribuera pas sans doute au hasard. »

the mass of a people be in the right, how much more reason may we find that the *elect* of a people, who from property, are completely independent the holders of power, will be in the right. Your approval of my method will be ensured by the consideration, that the candidates for the Consulate may be indifferent to one or other Chamber. The successful candidate of the Upper, will be better pleased to derive his power from those, whose situation in life is not inferior to his own. Thus, I gain the chance of pleasing all ranks. You will apprehend, find mine a better method in creating the Consul, than the Roman. The candidates at Rome, were not obliged to bribe secretly individuals composing the *comitia centuriata*, but openly commiserate persons to bargain with them.

votes, which you may find they did, from several passages in Cicero; but my proposed method excludes all possibility of corruption.

EUGENE.

But do you not think there would be some difficulty in getting at the greatest land-holders and fund-holders in each county?

CONSTANTINE.

To this I have only to reply, that the governor of any county or district would but ill fill his place if he did not know them. If there were any doubt respecting the prior claim of one or more individuals to ballot for the electorate, it might be easily settled by a statement of their property by oath, in private before the governor; as for the greatest land-holders, we have an incontrovertible proverb: *"A house that stands upon a hill cannot be hid."* After all, I know not whether a certain irregularity arising from any accidental

mistakes, might not prove beneficial in this instance; and I would not word the law strictly; it might suffice to get at the *principal* land-holders and fund-holders in each county or district, who might be appointed after the manner which I have suggested, or in any other way that the inhabitants of the different counties might judge advisable.

EUGENE.

I think by your proposed arrangement, you have obviated any possibility of chicanery and corruption between the candidates for the Consulate and the electors; and it is for this reason perhaps, that you propose the presence of the Presidents of the two Chambers in the electoral College?

CONSTANTINE.

I have introduced them therein with the view of completely annihilating the possibility of any thing unfair, already perhaps sufficiently guaranteed.

EUGENE.

I now want to know whether you would

the names of the voters in the electoral College published after the proclamation of the Consul ?

CONSTANTINE.

Montesquieu, if I remember right, says, *une grande question si les suffrages doivent être publics, ou secrets.* Cicero attributes the decline of the Roman greatness in his days, to the votes not being public as before. But legislation in the departments of state, was not well understood in his time. I apprehend, that the numbers of the votes should be published, but not the names; and with this the people should be satisfied; for not only the senate of nobles present at the scrutiny, but their own electors, and their representatives. The promulgation of names would only serve to foment dissensions and quarrels in private families.

EUGENE.

Remember that in your qualifications for the consulship, you have prescribed, that every candidate must belong to one or other

Yes, Eugene, and not without
fearing that some factious demagogue
to start up among the people
luble tongue, abundance of p
but little experience; how th
would regret that such a being
promoted by any chance, to
chair! Supposing that fat merr
your's, who so often keeps of
his great farm on the Raritan
mensions of whose nose attel
good cheer, were by some m
to ingratiate himself with th
our President : show

harnessed to the state-waggon, Patriotism sitting as the charioteer, and, applying the flagellations of duty smartly to their flanks.

EUGENE.

But have you taken into consideration the probability of a too great ferment of ambition agitating the two legislative chambers, and consequently obstructing the play of the state-machinery ?

CONSTANTINE.

This would unquestionably be the case, had I not prescribed limiting ages, and other necessary qualifications for the candidates.

EUGENE.

I observe, you have proposed that no person can be a candidate, unless he be between the ages of forty-three and fifty years. Why have you particularly fixed on these limiting ages ?

CONSTANTINE.

The ætas consularis at Rome was forty-three

years; most likely because the Roman legislators thought that about that period of life, energy and prudence were most happily combined. If I have assigned a limiting age on the advanced side also, it is with the view of preventing a too corrosive sublimate of ambition from preying upon the entrails of the legislative chambers; it is with the view of confining the candidates to a small and reasonable number. If the milk-maid shakes her pails too violently, she will not be able to skim the cream. Let us apply to this subject analysis as closely as we can, for it is the only point on which I entertained some hesitation. It is so important that we cannot consider it too deeply; and mark how powerfully the limiting ages, and other regulations which I have prescribed, will tend to the preservation of perfect order. A, is member of the Lower Chamber, and ambitious of obtaining the Consulate; he is forty-eight years of age, so far he *is entitled* to be a candidate; but he has *only held* his seat four years and a half, con

iently he is thrown out. B, has held seat thirteen years; so far he is qualified; but he is only thirty-nine years of

consequently he cannot stand. C, is member of the Upper Chamber, and minister of the interior department; he is thirty-four years of age; but he has only held his seat three years and two months, before his qualifications are not valid. D, forty-five years of age; he has held his seat in one or other Chamber, ten years, during which period, he has developed a fine and vigorous texture of mind, and ingratiated himself with his countrymen. Here then at last we have a perfectly qualified candidate.

When you take into consideration the limitations necessarily confining the candidates to a moderate number, the unwillingness of several individuals otherwise qualified, to abandon those habits of life to which they have been accustomed, the incompetency of some, the diffidence of many, the ill health of others; the scorn, sneers, and contempt that would follow

...we are in thinking, that my grief
of the Consulate, with its septennat
of revolution, may fly to the cent
system, not only without the poli
nets starting from their orbits,
without any pernicious effects a
from its *disturbing power*; or at n
thing will be experienced but a slig
tion, only ruffling the surface of
pools, not making them rise in n
ous waves. The stimulus administe
be rather beneficial than otherwise
ncentive to honourable exertion, t
ructive of order. And how many ca
might we reasonably expect to —

do not trip you up. Now I want to know, why you assign different periods of service to the members of one and other Chamber, before any of them can become candidates.

CONSTANTINE.

I have assigned six years to the members of the Upper Chamber, and twelve to those of the Lower; had I prescribed the same number to the members of the Upper Chamber, it would have been unfair; for since their seats are hereditary, many of their fathers might not die before their sons had attained the *ætas consularis*; therefore they would not have an equal chance of attaining the Consulate with the members of the Lower Chamber.

EUGENE.

But do you not imagine that the electors, emanating as they do from the people, would always be inclined to favour their own representatives, rather than the members of the Upper Chamber?

they are taken from the elect
ple, but little inferior in situ-
to the Nobles themselves, the
moreit equally, whether in the
Lower Chambers.

EUGENE.

Still however, I cannot help
that the jealousies of several
in the cabinet, who might see
to the Consulate, would prove
to the state.

CONSTANTINE.

We do not see that this is
our own States; neither do we

nd bribery resorted to by the candidates; which, had the Republic lasted, would have been checked by his *lex de ambitu*. I have also provided against any unfair means, not only by a severe law, but by the impossibility, from my plan of getting at the electors, of having recourse to any. Weigh well my arrangement. Several of the ministers, I hope you will grant, may be out of the prescribed ages and qualifications, but granting that they are not, *cui bono* any secret jealousies of each other? As for jealousies and distrusts, we know that every statesman under every form of government, must weather them out in the best manner he is able. Let the candidates for the Consulate be as livid as Catiline with ambition; let their pale lips quiver from excess of anxiety; let them unite, if able, at their entertainments, the wit and vivacity of Voltaire, to the profusion and magnificence of Lucullus; let them hurry from district to district, let them deluge the middle classes with their *claret*, and the lower, with their ale; *the wretches!* Would they hope thus to ob-

~~Commander~~, by their affable manner, by their hatred of all corruption, by their unflinching support of the interests of the country in times of difficulty, they could hope to make any impression on the high electoral College. If the Athenians could elect with safety their ~~Magistrates~~, if the commercial Carthaginians, their Suffetes; if the turbulent Irish, their Consuls; if the enterprising Genoese and Venetians, their Doges; this to be expected, when education was not attended to among the ranks of people, with how much more reason might we expect the same to be the case in our country.

re of the approaching Consulate may indeed be busy at their livers ; but like Prometheus on the Caucasian rocks, they are unable to stir hand or foot. — See the bait suspended over the new river. — Fry of all descriptions surround it. — Look at that slippery eel fit for nothing but the frying-pan, what longing eyes he turns towards it — That big bellied *helluo* of a salmon springs at it in vain ; he must bring down his fat to recover his elasticity, before he can make a successful leap. — Observe that dare with blackish spots, how repeatedly he jumps at it in vain — That, nibbling minnow ! wilt thou out-dare the dare ? — Comes an antiquated barbel, hardly able to work his weedy way, but at the old dotard darts at the bait — you are not the fish I want — Here is a perch proud of his red coat ; no, no, I'll have no fry of such glaring colour — Look at that carp with small head, but *spatium admittibile* behind, how he flounders about the bait — Here is a voracious pike, the tyrant of the stream — Dart at it again — Now

It was formerly known in Europe, now so uncommon, that it may be extinct; it is called a *win* is of excellent flavour. I must catch this fish like the others, by baiting with the bait, for if I do, he will take with indignation, but that is the very reason why I want to catch him — All I do is, to lay the bait quietly among the weeds, and then perhaps he may take it, as if it were a may-fly — He is a gentle spring, and I have hooked him. I want.

EUGENE.

skilfully as you, they would furnish a good upper dish for the public dinner. But no more ænigmas as obscure as those of the Sphinx, or the Alexandra of Lycophron. I observe that your Consul has a crown placed on his head at the altar. Does not this scent too strongly of royalty for a Republic ?

CONSTANTINE.

It is a civic crown, Eugene, nothing more. The power is first conferred by the people, and then receives the sacred benediction. There is nothing that militates against the liberties of the people in this ceremony.

EUGENE.

How would you have the Consul go, when he convenes, or prorogues the Legislative Chambers ?

CONSTANTINE.

Let him get into a coach and four, like any other noble, or wealthy commoner

him ?

CONSTANTINE.

None. Cases might however occur, where it would be to strengthen the civil peace-officer, a few of the military, of which the people should be not a little jealous.

EUGENE.

But in the ceremony of the installation of the Consul, you introduce the Consular guards. What ! a man decorated with the title of a Magistrate !

CONSTANTINE

connection with the chief Magistracy; and it is for this reason, that I call him Captain-General of the armies, and High-Admiral of the navies of the Republic. These Consular guards should not be numerous; sufficient however to mount a daily guard at the Consular palace; for experience proves that in large cities, certain men are found, who being really mad, or pretending so to be, assault persons high in office, or are otherwise offensive.

EUGENE.

Supposing that the Republic were invaded, would you have this Captain-General of your's head the army in person?

CONSTANTINE.

Cases might occur, where it would be expedient for him so to do, acting of course through the Generals of the Republic.

Let us now follow the Consul to his cabinet, Eugene; and I am of opinion that his Privy Council, exclusive of the Ministers of state, *should consist of a limited number of in-*

this case were unlimited, it
he would make too great in
prerogatives of either Chan
for him to glean wisdom w
but « *sunt certi denique fines*
tricorporal state. His cabine
will consist of the following

THE MINISTERS OF THE

Financial,

Colonial,

Foreign,

War,

Naval,

} DEPT

e Republic; and it should be titled
Consul's Honourable Privy Council.

EUGENE.

ould you exclude the President of
r Chamber, whom you make Chan-
the Republic, from the Consul's
ouncil ?

CONSTANTINE.

robably a high legal authority
ot be excluded from the cabinet.

President of the Upper Chamber
uced therein, it will be but fair,
olleague, the President of the Low-
l also have a seat.

EUGENE.

o ?

CONSTANTINE.

ng at the head of the house of Re-
ives, and consequently supposed to
nmediate interest in the welfare of
e, his advice on any measure, which
ncerned the public, might be de-
am however by no means aware

EUGENE.

But I remark that you vest of the Consul, the power of ministers. Does not this savour of royalty?

CONSTANTINE.

It is necessary, my friend, of every state to be supported as possible in the nominal first officers of state. You are by *Art. II. sect. 2. of our Constitution* is obliged to consu

will have the sole power of naming the ministers, who are immediately responsible. His functions must be clearly defined, and strongly pronounced.

EUGENE.

And would you not have the Consul himself responsible ?

CONSTANTINE.

This is a delicate and difficult question. I apprehend that I cannot answer it better than by proposing as with us, (*Art. I. sect. 2 of our Constitution*) that he should be responsible, and that if he be tried, the two houses of legislature should form a judicial court, but that he should not be convicted, without the concurrence of two-thirds of the assembly. The legislative should however be most tender in exercising this prerogative; and could only perhaps plausibly exert it, in the case of the Consul receiving bribes from a foreign power, or what should be contemplated as a *high misdemeanour*, the intention of *making the office hereditary in his family*

EUGENE.

And what sentence should follow the offence?

CONSTANTINE.

Dismissal from office with ignominy, as provided by *Art. II, sect. 4, of the American Constitution.*

EUGENE.

With whom would you vest the important prerogative of declaring war, and concluding peace?

CONSTANTINE.

Why, I am afraid unless other rival states agreed to extend the prerogative wider, it is a power that should be vested in the Consul's cabinet. The same necessity does not perhaps exist in America. The question of war or peace may be submitted to Congress, without immediate apprehension on the part of the members, of the sudden intrusion of an exploding bomb. *But if our States consisted only of Virginia, Pennsylvania, and Rhode-Island, at*

in a few miles of a greater rival
promptitude of hostile decision
it, might remind us of the supe-
ricy of vesting the prerogative
our cabinet.

EUGENE.

Do you have the right of reprieving
condemned criminals attached to your
prerogative ?

CONSTANTINE.

As a magistrate of the Republic, he
is entitled to this right ; but in the
exercise of so important a function, it
appears to me that he ought always to con-
form to legal authority, and one, who
values equity his principal object of

EUGENE.

Do you have the power of suspen-
sion writ of *habeas corpus* vested in
your ministers ?

CONSTANTINE.

Yes, in a tricorporal state, with an

H

~~or the~~ whole house of Represent
pass the Upper Chamber, and c
sent, before it be enacted into
under my septennial elective Co
good grounds for thinking th
cessity of resorting to so strong
would never, or very rarely
The power however of resor
should be left.

EUGENE.

And what form would you p
signifying the Consular assent to
tion of, any Bill?

CONSTANTINE.

Let the state officer express
by the words, "I assent."

rithe in agonies on his curule chair?

CONSTANTINE.

ch a calamitous case , the greatest
nce possible should no doubt be
The physicians of course should
ulted; and if the majority of their
s were against his speedy recovery ,
election for a new Consul , should
d forthwith. The chief magistrate
orporal State should always have his
out him; he ought to be ever on
tch , to catch the sense of his
expressed in the legislative cham-
d retain , or dismiss his ministers
ngly. If he be ill, or otherwise inca-
d, the government runs the risk of
ating into a sort of oligarchical aris-
, Machiavelian in the worst sense of
d.

EUGENE.

would you arrange the Consul's
old establishment?

CONSTANTINE.

um allowed annually should depend

... I imagined the other
my Republic of Eunesos. I state that
British money, and not in American
dollars.

The Consul.

Private Secretary.

Introducer of Ambassadors.

Physician.

Surgeon.

Chaplain.

Total annual expenditure.

=
The above sum will include the

EUGENE.

I observe you propose but few officers of state about his person. What ! no Chamberlains ! no Grooms of the Stole ! no Comptrollers ! none of those sinecures, which the people of certain states are taught to believe requisite, and are denounced *dangerous*, if they presume to question their utility ?

CONSTANTINE.

None whatever, Eugene. These offices may indeed suit a gorgeous monarchy ; but in a well constituted Republic, they can only be considered as so many nests of idleness feathered by pride with the plumes of Sardanapalus. I have already assigned more to my Consul, than is consistent with the simple grandeur of a Republic. He ought to be able from his annual allowance, to defray his subscriptions to charities, works of art, etc.

EUGENE.

If *your Consul* were to appear in public, *would you have any outward token of res-*

Let it be optional, Eugene. A
of a Republic requires that it s
I confess I should feel an in
pleasure in touching my hat to
passed by. The Romans were ve
to the respect due to their Cons
their part, sometimes took care
it. Dio Cassius mentions that
Consul, as he went through the
day, ordered the chair of the pr
lus to be shivered to pieces in b
for omitting to rise as he passed
the prætor was engaged in the
tion of justice at the time. Th

ced a Minister of the Public works;
of opinion that such an office is ne-
p

CONSTANTINE.

oubtedly; in every great state. His
should consist in superintending the
n of the public buildings, churches,
walks, fountains, etc. and though
h roads should be repaired at the
of the different parishes, still he
take cognizance of their being in
condition. As his functions necessa-
ly a draw on the public purse, he
like the minister of the financial
ment, always be a member of the
Chamber. His duties will correspond
ose of the Roman *Ædiles*.

EUGENE.

ld you have the Consul preside at
inet?

CONSTANTINE.

*of opinion that it would not be ne-
for him to preside, except wher*

any important point occupies his ministers, such as the declaration of war, signing of peace, quieting of rebellion; he will then at his cabinet-table, give his advice, and his ministers should act, or no, upon it, as they might judge advisable. Remember, that he acts through his ministers; and they are immediately responsible.

EUGENE.

Well I have no objection to this. Let us now follow him to his levee.

CONSTANTINE.

I think his birth-day should be celebrated by a numerous levee, at which should be present all the chief functionaries of the Republic, foreign Ambassadors, etc; that his wife should hold a drawing room on the occasion; not that she is of any great importance to the state, but more on account of the manufacturers, whose profits and emoluments depend much on the ceremonies of state. Other drawing rooms and levees might be occasionally held; and if

the Consul were to receive on any particular day, a General or Admiral, who had obtained a recent victory, he would do well to appear in the uniform of such General or Admiral. These little attentions, though they may make Philosophy smile, are not to be disregarded; but in general the Consul would never look to so much advantage at his levee, as in his plain coat, waistcoat, breeches, and stockings, all the produce of his own country, with the principal civil order on his side.

EUGENE.

Supposing the Consul during the recess of the legislative, were to go to the sea-side, would you have a ship stationed off his residence, for his recreation?

CONSTANTINE.

Let him have a frigate, and welcome. Would not the Captain's eye glisten as he received him on the quarter-deck? Would not the yard-arms be manned with alacrity *for the man*, whose exertions had bee

recompensed with the chief magistracy,
the elect of his countrymen?

EUGENE.

Supposing he were to visit a fleet
anchor off the principal port of the Republic
how would you have him received?

CONSTANTINE.

The moment he boards the Admin-
ship, let every vessel in the road fire suc-
cessively three salutes, emblematic of
tricorporal state. Let the standard of
Republic appear flying at the main-
gallant masts. Something worth expending
powder for the man, who had contemned
the allurements of pleasure in his youth
and had proved himself worthy the con-
fidence of his country.

EUGENE.

Would you have the Consul present such
boxes, to foreign ministers, and others
as tokens of his esteem?

CONSTANTINE (*laughing.*),

Why you know, Eugene, I have no particular antipathy to the snuff-box. However I should like to see my Consul vary his presents. He might occasionally give a fine horse, a fine picture, a set of books, a collection of the engravings executed in his country. After all, the system of making presents is rather to be considered a special royal prerogative ; and Montesquieu particularly says, that when they are bestowed profusely, whether in a monarchy, or a Republic, they should be considered as symptoms of the decline of either.

EUGENE.

I have a question to put respecting public mourning. Would you adopt it in your Republic of Eunesos?

CONSTANTINE.

Why there is nothing more absurd, than to imagine, that strangers can participate in *heart-felt sorrow* for the death of any *individual* about the state, unless his pul

lic services be conspicuous, or his private virtues well attested. I would nevertheless propose, that since my Consul has attained his preeminence through his own merit, and in case of his death happening during his septennial office, that it should be marked by a public mourning of six months; and if during the same period, his wife were to die, that it should be followed by one of three months. These little attentions are politic, inasmuch as they not only tend to cement heart, but to bring the diers into activity. One *dying* you see, promotes another *dying*. The undertakers too must not be forgotten ; necessary ingredients, I fear, Eugene, in the world which we inhabit. And now that we have to do with the undertakers, they remind me of proposing a law, which would be beneficial to my Republic of Eunesos ; which is, *« that all the principal functionaries of the Republic, the members of both Chambers, all Generals and Admirals, and all the female nobility be buried in silk ; and that all persons, the above excepted, be buried in wool*

law, not with the view
 of a luxurious couch for the
 to fatten on their *exuvie*,
 when manufacturers may share
 in degree with the woollen,
 ment ensured by this law.

EUGENE.

ed law I approve. But if the
 were to die, what period
 would you propose for

CONSTANTINE.

atever. To be mourned for, Eu-
 must work their way gradually
 with a sweating brow, like their
 father.

EUGENE.

Supposing the Consul were to die,
 his children in straightened cir-
 cumstances?

CONSTANTINE,

not very likely to happen; but if
 a grateful nation would no do
 them handsomely.

CONSTANTINE.

By no means. They are to be in all respects like the sons and daughters of the Nation who are to have no titles.

EUGENE.

Would you allow his sons to sit in the Lower Chamber?

CONSTANTINE.

If regularly returned by any district borough, certainly.

EUGENE.

I remark, that in your advice to the National College, you caution them to be careful of choosing any illustrious General.

x mortis should always be highly ap-
 iated in every well - regulated state ;
 ndeed it always has been from the
 est ages of the world. But if any distin-
 hed General had acquired a great as-
 lancy in the Republic by his services,
 were in consequence, to fill the chief
 istracy, we should soon have the army
 bined against the liberties of the peo-
 They would exclaim with the Panno-
 legions in Tacitus : « *Nostrâ in manu
 est Respublica ; nostris victoriis augetur
 ublica ; in nostrum cognomentum adscis-
 ur imperatores.* » In that case, there
 ld be but one step from a limited elec-
 Consulate, to an unlimited hereditary
 m. No, Eugene ; if there existed such
 ndividual, if his services were great,
 exploits brilliant, les History, Poetry,
 ating, Sculpture, and Architecture com-
 : their labours to decorate his name,
 transmit it with honour to posterity ;
 in the name of Heaven, let me never
 uch a man Consul. I would rather have
torney fill the office, nay a second

would alone afford better hints, than
that I could bestow.

EUGENE.

But if your Consul were spoiled by
are you not of opinion that similar evils
ensue ?

CONSTANTINE.

Civil merit is not so apt to dege-
into pride as military; recollect that
the Constitution tumbles him headlong
the Consulate, at the expiration of
seven years. He can have no dan-
influence with the army, like a distin-
ed General.

EUGENE.

I pray? By madmen? Yes. He might
ate all latent doubt respecting his
by laying his hand on the civic crown,
y exclaiming with all the hoarse energy
poleon, without an atom of his hypo-
or military pride : « *Le Peuple me l'a
e, gare à qui la touche!* »

EUGENE.

ow want to know how you would have
Consul live?

CONSTANTINE.

let him live like any other man, en-
g, as often as his duties and avocations
permit, the society of his family and
ds. Let him be seen occasionally wal-
arm in arm with his friends, through
reets of the metropolis, habited plainly
a private individual. If he chooses to
ay magnificence in his town-palace, let
hibit a male character of grandeur.
he stair-case of the Consular palace be
mented with the busts and statues of
reat men of antiquity; « *inter quos*

with the busts and portraits of orators, warriors, and statesmen of the country, and with some painting illustrative of its history.

During the convocation of the House of Commons, let his steward, during the week, or fifteen days, cards of invitation be sent to the most celebrated artists of the metropolis; the next alternate week, or fortnight, to the most distinguished natives, and illustrious foreigners. Let the apartments be furnished with pictures, plain and unostentatious, as a *point d'appui* highly beneficial to science and art. Let his wife live

rather than the senses. Let the portraits of the most distinguished of her countrywomen meet the eye; let Agrippina be there seen bearing the ashes of her Germanicus, Portia swallowing fire, Cornelia instructing the Gracchi; let Plotina and Marciana stand there conspicuous, with that Mariamne, the remembrance of whose sufferings is engraved on the heart of every well disposed female.

EUGENE.

But supposing that the Consul's wife should be a plain unassuming woman, how would she relish the idea of being so exalted all at once, as to receive the ladies of the foreign ministers, and those of the nobility? Would she not feel rather nervous, if she saw some of the Countesses of your Eunesos titter behind their fans, and whisper to each other: « *Ah Dieu ! que nous avons une Consulesse ridicule ?* »

CONSTANTINE.

Let her send for the first actress of the Republic, who in half a dozen sitting

will make her completely *au fait* ; and teach her , if necessary , to say to the tit-tering Countesses : « *If you come here , come with a good grace ; if otherwise , stand not upon the order of your going , but go at once .* »

EUGENE.

Would you allow of the ceremony of kissing the Consul's hands ?

CONSTANTINE.

« *I do beseech you , let my Consul and his wife o'erleap that custom .* » All strangers should be introduced to him either through his personal friends , his ministers , or the introducer of ambassadors ; and no further ceremony on their part , should take place , than those modes of salutation established in all civilized societies . He and his wife would of course take care to stock their memories with those convenient commonplace questions , requisite on these occasions .

EUGENE.

But to proceed to more important

siderations. Tell me now how you would have the Consul contemplated in the eye of the law ?

CONSTANTINE.

I am almost alarmed at your question; but will endeavour to answer you as clearly and as briefly as I can. Supposing then any body were to steal his sheep, he should go to law for the punishment of the offender like any other man, but if he were to suffer *mayhem* or battery, or if he were to be killed, it should certainly be regarded as high treason, and punished as such; his life is of more value than that of any other person, for he is the chief magistrate; it becomes doubly so, for his honourable exertions have raised him to the station which he fills.

EUGENE.

Would you have his wife considered as a *feme sole*, or a *feme coverte* ?

CONSTANTINE.

A *feme coverte*, certainly; that is to say her rights should be asserted, and her

wrongs redressed in the courts of]
like those of any other married woma

EUGENE.

If then she were to suffer rape, or com
mit adultery, it should not be considere
as high treason ?

CONSTANTINE.

In a *political* point of view, it would
not signify if she committed the one, and
suffered the other. The offence should be
be punished as with any other woman,
without considering the crime as high-
treason. As for their children, no distinc-
tion should be made by the law in their
favour.

Let us now leave the curule chair, Eu-
gene, and enter the Upper Chamber; and
I hope you will approve of my proposed
arrangements.

EUGENE.

I observe you have made it permanent
hereditary. Are you not of opinion tha
our elective Senate is established on bette
principles ?

CONSTANTINE.

ant there is something more Uto-
 t first sight, in the organization of
 nate. But it may be asked, whether
 a greater degree of stability would
 : conferred on a state, by making
 ower Chamber hereditary. Consider
 y proposed constitution is already
 ntly beset by elections. If you in-
 e too many, you divert the public
 too much from their private con-

a ready to allow; that if a father be
 of desert, it by no means follows
 s son should resemble him; but
 you consider, that the Consuls, if
 from the Lower Chamber, assume
 r right, a seat in the Upper, at the
 ion of their office, this regulation
 always ensure a sufficient stock of
 y and talent, for the furtherance
 lic business. Experience moreover
 , than an hereditary senate does not
 rate so much as we might imagine.
 triform state, oil and emery enough

will be always administered to rub off the rust of idleness and luxury. The Nobles have been called by a great transatlantic statesman, the « *Corinthian capitals of society* ; » and provided the acanthus leaves do not sprout too luxuriantly, so as to overshadow the humbler Ionic, Doric, and Rustic, I am disposed to think them rather conducive to the welfare of every well ordered state than otherwise. We all want artificial helps to civilization; and these cannot be more effectually administered, than through an hereditary, and well graduated aristocracy. Yes, Eugene, I am of opinion, that an hereditary Senate of Nobles is best calculated to ensure to every state that charm of civilization, without which man is but a better kind of vermin. Neither do I see why the propriety of its existence should be questioned even in a Republic; for the same train of reasoning that would disapprove of one man having a title superior to another in society, pursued further, *would unhinge the whole scheme of social order.* The sailor might with as much pro-

priety, quarrel with the title of midshipman, the latter with that of lieutenant, the working farmer, with the landed proprietor, and so on. Man was formed to be a mutually dependent being, and that society is best constituted, which admits of well graduated ranks.

I remarked lately in a modern French author, some observations on this topic, which I have transcribed somewhere in my pocket-book, and will read to you; here they are : *« s'il est incontestable que les monarchies ne sauraient subsister long-temps sans une noblesse héréditaire; il est également certain qu'une pareille institution est de la plus grande utilité dans les Républiques. En effet, une classe distincte de citoyens assez riches pour diriger l'éducation de leurs enfans vers les affaires publiques, et pour leur faire apprendre, au lieu d'un métier lucratif, la science des intérêts réels de l'état au-dedans et au-dehors, peut seule amener la tranquillité, et donner de la stabilité au gouvernement; parce qu'elle joint à l'amour naturel, que tous les hommes ont pour la*

patrie, celui d'une forme d'administration, qui lui assure d'honorables distinctions ; au lieu que le peuple toujours pressé par les besoins du moment, indifférent à l'avenir, incapable de souffrir avec constance des inconvéniens passagers, est destiné par son ignorance et sa crédulité, à être l'éternel jouet des factieux. » Burke too, in his celebrated reflections on the French revolution, has these words respecting a permanent Senate, which I found the other day, among my papers : « *Something,* » he says, « *is necessary to give a bias and steadiness, and preserve something like consistency in the proceedings of state. A monarchy may subsist without it, but it seems to me to be the very essence of a republican form of government.* » Those who imagine that a patriotic spirit and intelligence wear out in a permanent Senate of nobles, I would answer in the words of Montesquieu : « *L'esprit vieillit comme le corps ; cette réflexion n'est bonne qu'à l'égard d'un magistrat unique, et ne peut être appliquée à une assemblée de Sénateurs.* »

EUGENE.

ve supported your permanent Senate
 cient authorities; and I do not disap-
 f it. I remark you have vested in
 hambers, the power of choosing
 wn Presidents, which is certainly
 s; you strip also the sons and daugh-
 he nobles of their titles by courtesy:

CONSTANTINE.

a young man, Eugene, is caparisoned.
 title from his birth, he is gene-
 spoiled child. Exceptions no doubt
 found; but if a young noble wishes
 are any information respecting any
 manufacture, three out of four of
 er classes who address him on the
 start as it were from their natures,
 lk to him in an artificial tone. I re-
 , when I was in Russia, hearing an
 e of that spoiled child of fortune,
 n, who insisted that he should be
 d by those about him, with the
Sveitchlick, or your luminaryship;

as if he was præternaturally inspire every subject. By divesting then the sc the nobles of their titles by courtesy, will reap signal advantages, inasmuch they will the more easily form corrections of life, before they succeed to father's titles, and seats in the Upper Chamber. With regard to the females, marriage will be easier cemented according to natural dispositions of the heart, and for the empty gratification of the passion of a title.

EUGENE.

Would you have female nobility in its own right?

CONSTANTINE.

None whatever. I hope you approve my mode of creating the Nobles.

EUGENE.

I do. A title would be worth having when the prerogative of conferring *made the jus trium virorum*.

CONSTANTINE.

Although upon the whole, I am inclined to favour an hereditary aristocracy, bear well in mind, that I am far from depreciating the elective basis on which our Senate is raised; it is perhaps more august than mine. But a question may be put whether or no by introducing too much of Utopia into human institutions, the legislator is the gainer. I apprehend not; constituted as human nature is. Look at this apple, Eugene. It is not like that gathered in the gardens of the Hesperides, and with which Hippomenes arrested the fleetness of Atalanta; neither does it resemble that, with which the tempter won this world, exhibiting a fair outside, but containing within nothing but dust and and bitter ashes; it is nevertheless, a fine apple, notwithstanding that it has two or three specks on the rind, which make me however like it the better, for they remind me that it belongs to this world. It is the same with my proposed constitu-

tion. I can easily conceive something more plausible to the imagination, but not on that account harmonizing better with the order of things here below.

The experienced legislator will steer as clear from Utopia on the one side, as from a crude and imperfect arrangement on the other.

On the other hand, an overweening aristocracy ought not to be tolerated; and wherever it exists, I hate it with the rancour of the Gracchi. The introduction of this law would be an effectual method of checking an overbearing and unjustifiable influence on the part of the nobles: *« No noble or commoner shall be entitled to possess lands in the Republic of Eunesos, the annual rental of which exceeds the sum of L. 10,000; but since it might be difficult to apportion the lands to this exact amount, I have to propose, that the law should not animadvert, unless lands be in the possession of any one above the annual value of 13,000 l. But no obstacle should be thrown in the way of the un-*

limited encrease of funded property, for the acquisition of that generally implies a labour in the individual who acquires it, and every labourer is worthy of his reward. Besides the influence resulting from money is not so enslaving as that which results from land; money is here, there, every where; land is a fixture. The equity of this my proposed law, must be apparent to those, who consider what a desolating egotism must pervade any district, wherein the lands are principally vested in one individual, whose steward is seen travelling from farm to farm, and thus supporting the essence of the feudal system, and a servile disposition in the people. With the adoption of my law, rents no doubt must be equally paid and received; with this difference however, that in the same extensive tract, where before there was nothing seen but a feudal and enslaving influence, brooding like the vampire of Tidore, there would be established more than half a dozen flourishing *and independent families, spreading life*

and cheerfulness through the district, by the reciprocal interchange of interests and duties. Those vast feudal and baronial mansions may well have suited the thirteenth century; but cannot be said to be adapted to those sound views of life, which characterize the age in which we live. The barons of the dark ages built as if they were immortal; their successors have wit enough to discover that life is but a short passage. Any man, let him be in the highest circles of society, who possesses a large cottage with accommodations for two or three friends, will be more likely to realize a nearer approach to happiness, than if he were lost in a vast baronial hall, decorated with the trophies of his ancestors, and always found more striking in the page of a novel, or a canto of Walter Scott, than when existing in reality. Friendship too must necessarily be easier cemented where the shades of distinction in society are not too strongly marked. Yes, Eugene the enactment of this law would tend to ensure that moderation, the strongest guaran

tee of the integrity of the Republic, not less abhorrent from a too powerful aristocracy, than from a complete tyranny.

EUGENE.

But how would you dispose of the lands in the possession of individuals above your proposed limitation ?

CONSTANTINE.

Commissioners should be appointed to parcel them out to the veteran soldiers, sailors, and distressed manufacturers, as was provided at Rome, by the *Leges Apuleie et Sempronie*, care being taken to bestow them on deserving individuals. I perceive this makes you stare, Eugene; and I know, I have Montesquieu against me; I have his words somewhere in my pocket-book; here they are : « *Posons donc pour maxime, que lorsqu'il s'agit du bien public, le bien public n'est jamais que l'on prive un particulier de son bien, ou même que l'on retranche la moindre partie par une loi, ou un règlement politique.* » The general prin-

IN WHICH A. D. 1500, the population was
predominant, that the population
period was 4,000 000, and that a ba
by his military prowess, subjected
derable extent of land to his au
which through a long succession o
had been transmitted to his desc
actually in possession of the same
in 1810; that at that period, the po
was nearly four times what it was i
that the genius of the people was
different, that owing to the great
of population, or other causes, in
distress was felt, will any body tel
the descendant of the baron, star
same situation with respect to his
his ancestor did in 1300. a

notions among his countrymen, plunged at that period in a state of barbarism ? But some holds out a beacon which may serve as a sure guide. It was the inordinate wealth of Pompey, Cæsar , and Crassus, which caused the downfall of the Republic. Had a law been in force similar to what I propose, there probably would have been no Pharsalia , no Philippi , no Actium ; or at least the results of the two first battles would have been on the right side.

EUGENE.

The problem is difficult to solve; equity however is on your side.

With regard to your house of Representatives, I remark you have fixed on a quadrennial election ; what are your reasons for assigning this particular period ?

CONSTANTINE.

I apprehend that no shorter period could with reason be allowed. For let us suppose, as some political quacks on the other side of the Atlantic, have suggested, that

quired in half a dozen sittings, an annual election were adopted, to obviate in the most effectual manner the acquisition of experience in the lower, so essential for the well-ordered state. I should even have a longer period, did I not think tant, that a certain interval should be between the election of the Congress that of the representatives of the States. I have noted some where in my book, a table, which will show a certain revolution of years, that would clash, to obviate which, it is necessary to defer on a certain rotation of the representatives.

- 1804 — *Election of the Representatives.*
1805
1806
1807 — *Election of the Consul.*
1808 — *Election of the Representatives.*
1809
1810
1811
1812 — *Election of the Representatives.*
1813
1814 — *Election of the Consul.*
1815
1816 — *Election of the Representatives.*
1817
1818
1819
1820 — *Election of the Representatives.*
1821 — *Election of the Consul.*
1822
1823
1824 — *Election of the Representatives.*
1825
1826
1827
1828 — *Election of the Consul.*

The election of the Representatives would happen also in 1828. To prevent the coincidence, it would be necessary to postpone their election to the succeeding year.

EUGENE.

Would you have the elective franchise universal?

CONSTANTINE.

Tut, tut, Eugene. The power of voting might perhaps with advantage be extended to all males above twenty-one years, who pay taxes to the Republic; though this should be considered as the *ne plus ultra* of extension.

EUGENE.

Would you allow the patronage of any boroughs throughout the Republic, to be vested in private hands?

CONSTANTINE.

The principle of the *rotten system* as it is called on the other side of the Atlantic is no doubt to be deprecated. Suppose

at in my Republic of Eunesos, there about three hundred boroughs, of seventy or eighty were in private it is obviously an abuse, which ought to idly for reform. But if some twelve, or twenty were in private hands, it be questioned whether it would be while to apply correction. It is per- rather expedient for the executive of rporal state, to have certain buttresses, if you wholly remove, a vigorous op- n would be perpetually making brea- so often undermine the ramparts, and lize its operations. The principle how- must be acknowledged to be bad.

EUGENE.

w want to know whether your Consul tled to the prerogative of dissolving wer Chamber, when he, or to speak accurately, when his Cabinet pleases.

CONSTANTINE.

It would be a too royal privilege. *amber of representatives is elected*

to speak more plainly, that
should not have it in his po
rogue them for a longer per

EUGENE.

I will now take into consid
ecclesiastical establishment, a
tant subject, and which we n
carefully. I think in your propo
ment, I inhale the odour o
like a rational supremacy of a

CONSTANTINE.

All the greatest legislators, I
inculcated the necessity of a
religion in every state. Num

devoted their thoughts to the calamities incidental to our uncertain state here below, have generally placed as the most prominent, the difficulty of the intelligence finding a point, on which the heart may repose; but this is discovered by an established religion founded on the soundest moral doctrines. The evils therefore which would accrue to a well-constituted State, from the destruction of its religion, and the orders destined to support it, may not inaptly be compared to what would befall the solar system, did the sun lose its retentive power. Let fine-spun metaphysics assert what they will, experience proves whatever be the dogmas that any religion inculcates, that it forms the surest preservative of the strength and resources of every state. The violation of the mysteries of the *Bona Dea* by Clodius, sounded the first funeral knell of expiring Rome; in the same manner, the procession of the Goddess of Reason in the streets of Paris, was the signal for the downfall of social order in France. Machiavelli, any thing but a bigot, speaks always with re-

verence of a religious establishment; he never inveighs against the institution; but only against the abuses, which under its mask, were practised by the court of Rome. He says somewhere in his maxims : « *Come l'osservanza del culto divino è cagione della grandezza degli stati, il dispregio del culto divino è cagione della loro ruina.* » An ecclesiastical establishment provided it be founded on the predominating religious persuasion, takes moderation for its basis, tolerates opposite sects; provided the holders of sees and benefices be not overloaded with wealth, as in Spain, must be found to promote the order and well-being of every state, and cannot be deemed by any honest Republican, hostile to the liberties of the people. Contemplating the institution merely in a political point of view, its utility must be obvious to those who consider how much society has been indebted to the literary labours, and to the care bestowed on education, by the members of *most church establishments*. It is only when *they are too numerous and idle, as they*

were in France, previous to the revolution, or as they are actually in priest-ridden Spain, that they can be reasonably considered a nuisance. He therefore who would object to a regular church establishment in a State, must produce reasons which have escaped the acuteness of a Machiavelli, the laborious erudition and researches of a Montesquieu, and the profound genius of a Burke. All then that remains for the legislator is, to raise his ecclesiastical establishment on the opinion of the majority, and he can only act wisely by so doing. Few things however can be more absurd, than to make the supremacy of a church hereditary, or to vest it in a female. I confess I am not gallant enough to the fair sex, to approve of the system of *hierarchesses*.

EUGENE.

But recollect, Constantine, how much the ladies always had to do with religion; witness Cybele, Ceres, Vesta, Juno, Diana, Minerva, to say nothing of Rhea, of
"Astarte, queen of heaven, with crescent horns,

Come, Eugene, no mixture
fanis, if you please. It appears
the supremacy of a Christian C
not be better vested than in a
has prepared his mind with pre
ing, and earnest meditation on re
moral doctrines, whose conduct
less as human nature will allo
moderation, in fine, *is known unt*
Montesquieu, by no means rep
sentiments, expressly says : « *Il*
le Pontificat soit séparé de l'
même nécessité ne se rencontre
gouvernement despotique, dont la
de réunir sur une même tête, to
... ..

h did not escape the shrewd cunning-artifice of *Divus Augustus*, who, on the death of Lepidus, assumed the name of *Antifex Maximus*, held ever after the reins of power, and thereby helped to bring about that cud of servitude and degradation which was masticated *sub lentis maxillæ*.

Every State then, the hierarchy is, the executive power, it is but a resume, whatever modifications may be, that that State must partake of despotism. Only look, Eugene, to the philosopher of Bordeaux strengthen my proposed constitution have written them somewhere in their book; here they are : « *Le gouvernement modéré convient mieux à la religion catholique ;* » and again : « *La religion protestante convient mieux à une monarchie, la religion protestante à une République.* »

EUGENE.

to the opinion of Montesquieu.
h to have the prerogatives of your

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elective Head of the Church clearly defined.

CONSTANTINE.

Like the rest of the Bishops, he should be a member of the Upper Chamber; in his diocese, he should exert the same prerogatives as the other Bishops in their's. But since he holds the supreme station in the Church, he should have the power of enforcing the observance, or animadverting by letter, on the neglect of any law, which touched the interests of the Church, in any part of the Republic. He should have an equal privilege of propounding, correcting or repealing any law, which touched the Church with the other members of the Legislative.

EUGENE.

Would you have him empowered to convene the members of the Church, making them as it were a separate ecclesiastical legislative body?

CONSTANTINE.

Certainly not. For if the power was left,

and he were an ambitious man, he might annoy the government in the same manner, that Becket did Henry the second of England.

EUGENE.

I observe you take the candidates for the supremacy of the Church from the Bishops, and you make the intermediate ranks between them, and the Rectors, the Electors.

CONSTANTINE.

The distinct separation of the candidates from the electors is the main-spring, Eugene, that sets the whole of my political machinery in motion. I have not extended the privilege of voting to the Rectors and Curates: for from the small stipends of several, it would be inconvenient for them to journey to the metropolis. Their great numbers too, would require an inconvenient length of time to get at their votes.

EUGENE.

I see you propose that the rest of the Bishops should be named per literas con-

ecclesiastical establishment, you risk of introducing along with it which would be indecent in the sacrifice. If corruption and monopoly in the others departments of state, is not tolerable in this; and to check it as far as possible, I propose the introduction of the following law : « *No Bishop shall be entitled to hold any other benefice together with his episcopal see* » also : « *no Dean, Canon, Prebendary or other ecclesiastical dignitary shall be entitled to hold any other ecclesiastical benefice together with his benefice whose annual value of that benefice exceeds the sum of 1000 L.* » The Church, should have enough of the outwards

nage be extensively divided among the land-holders, it may in fact be said to emanate from the people. The curacies cannot I think, be better filled, than by the appointment of the Rectors.

EUGENE.

How would you have the holders of the different benefices paid ?

CONSTANTINE.

The tything system should not be adopted in my Republic of Eunesos ; for it opens the door to disputes , and serves , but too frequently to the interruption of the harmony of neighbourhoods. Scandal must necessarily be entailed on the sacred office , by seeing its professors frequently engaged in quarrels about a tenth sheaf , or the decimal fraction of a litter. Moreover , these paltry squabbles contribute but little to the activity of the bar. Neither should the holders of benefices be paid by a *percentage* on the incomes of their parishioners ; for that method would subject private property to

M

an inconvenient scrutiny. The better would be for the government to take pay into its own hands; which might be done by the institution of a *Sacred office*, established in the metropolis, communicating with all the parishes of the Republic; and the different incomes should be paid according to the relative weight of duty, to which they are subjected. The same system should apply to the Bishops, Deans, Canon Prebends, who should be supported by lands annexed to the cathedrals; this will add dignity and stability to the episcopate.

EUGENE.

Would you have the sees of the Empire equalized?

CONSTANTINE.

I think not; though perhaps there should not be allowed any remarkable difference. The value of the sees should be homogeneous, and not subjected to the law which I have proposed, for the limitation of incomes.

moderation is the essence of Christianity, and an overweening hierarchy is as prejudicial to the religion, as a mean withholding of salary requisite for its dignity. The unequal value of sees would open a field of future prospects for the incumbents, whose health may be often benefited by change of air and scene. Too much uniformity in legislation is to be avoided. Montesquieu says somewhere, « *des idées d'uniformité ont quelquefois frappé les grands esprits, et infailliblement les petits.* »

EUGENE.

I remark you propose no Archbishops ; why so ?

CONSTANTINE.

Archbishops were, I believe, an arrangement introduced by the Court of Rome. In the Gospel, you will sometimes find Bishops mentioned, but no where Archbishops. All the intermediate ranks appear to me desirable, for they preserve a beautiful gradation from the Curates. There will however be *no Archdeacons.*

M 2

establishment of your Republic
existed collegiate institution
one, or more Universities, by
you have the Chancellorship

CONSTANTINE.

The candidates for the
should be always members of
Legislative Chamber; and the
be conferred by the majority
of all the graduates, from the
Masters of Arts inclusive.

EUGENE.

Would you have the President
different Colleges filled by

and Masters, who superintend the education of boys, or young men. Supposing then the college were a numerous body, the fairest way of appointing to the chief station would be to make the six, or eight senior fellows, candidates; and if the association were small, four, or even three; leaving the rest of the body, excluding the young scholars of course, electors. This arrangement will be found to nourish an *esprit de corps*, conducive to the welfare of these societies; for it would stimulate the associates to labour diligently in their calling, and to cultivate an amiable sociability; but if the Consul's ministers appoint individuals to these situations, they would have little to do, but to study the profession of a supple and fawning parasite.

EUGENE.

I observe, you have insisted on the necessity of the Consul being a member of the established church.

CONSTANTINE.

Yes, Eugene; it is a tax that should be

cheerfully paid to the religious opinion of the majority of the people over whom he presides.

EUGENE.

Supposing then the religion was protestant reformed, would you exclude the Christians of other denominations, from the legislative bodies, and other subordinate offices?

CONSTANTINE.

That government would be inequitable that would do so. Mark well the equity of my proposed arrangement. The Consul must belong to the established church. Why? Because it is founded on the religious opinion of the majority. I do not exclude the Christians of other denominations, from the subordinate stations in the Republic; for then the constitution could not be said to act the part of a fostering mother to all her children. They are therefore admitted, with the simple oath of fidelity to the Republic. *Separate the hierarchy from the executive power, and all, you, see is at rest. If*

Make me presumptuous in this, I must
submit to a greater authority than you or
Desquieu.

EUGENE.

Did you have the Consul prayed for
at Church service ?

• CONSTANTINE.

Under this proviso, that in the prayers
read up, he be well *dove-tailed* into the
context. The words might run thus :
*Consul and the other functionaries
of the Republic both civil and military.* »

EUGENE.

Let me put two questions to you with regard
to electors. Supposing then that the
electors were composed of three states,
we will call Virginia, Pennsylvania,
Rhode-Island; and that the electors
for the nomination of the Consul, were
chosen from each state, are you not of
opinion that they might be biassed by some
national prejudices in favour of any
one born in the same country with

Why we do not find that complained of in our own States. of Maryland, or of Massachusetts freely give his vote for a native ticut. Take into consideration titors cannot be such, till they the age of thirty years, at w of life, puerile prejudices gen to more manly considerations

EUGENE.

But supposing as before, that nary Republic consisted of Virsylvania. and Rhode-Island. and

CONSTANTINE.

By separation of the hierarchy from the executive power, levels all obstacles. For us imagine that the electors delegated Rhode - Island, be catholics ; all their business is to name a purely civil chief magistrate. They know that he must be of the religion professed by the majority of Virginia, and Pennsylvania, because they weigh Rhode-Island. They go nevertheless with perfect equanimity to the election, because though they form the minority in the religious persuasion, they are admitted as they ought to be, on equal terms with the protestants, to the Legislative Council, and other subordinate offices in the Republic. I cannot repeat it too often, Eugene, my separation of the hierarchy from the supreme civil power sets every thing at rest.

EUGENE.

You must however get more clearly at your meaning, with regard to this important point in question. Let us suppose then as

before, that your Republic of Eunesos were composed of three states, which we will call Virginia, Pennsylvania, and Rhodes Island, and that the two former were chiefly protestant, and the latter catholic, I am left to conclude from what you have said, that the catholics should have equal rights with the protestants in the civil and military offices of the government, is it not so?

CONSTANTINE.

With the exception of the candidates for the Consulate, the Presidencies of the two Chambers, and the judges. Certain concessions should be made in favour of the predominating religious persuasion.

EUGENE.

Would you allow catholic Nobles to sit in the Upper Chamber?

CONSTANTINE.

A certain number should be admitted regard being had to the rough amount of the numbers of their persuasion.

EUGENE.

Would you permit any catholic Bishops
in your Senate of Nobles?

CONSTANTINE.

we have a different case. Their
position necessarily implies a direction
entirely and wholly in reference to their pe-
tenets. The rights and interests of
the Church are to be furthered in the
metropolis, not in the metropolis of my Re-
public of Eunesos. With regard to their
rights, they will be sufficiently gua-
ranteed by the lay members of their persua-
sion admitted into either Chamber.

EUGENE.

Supposing that in your Rhode-Island
Assembly, a protestant and catholic were
the rival candidates for the repre-
sentation of any town, are you of opinion
that the electors, who might be principally
of one persuasion, would give impartial votes for

himself as candidate for the
the protestants predominated
tholic, where those of his own
predominated; but if the
once persuaded, that the
separated from the supreme
it appears to me, that no reason
could occur, to prevent
a candidate of opposite persuasion
selves.

EUGENE.

But supposing that this for
the Pope, were to become a
secular prince, and wishing to

*we acknowledge you as our spiritual
 1, and the lawful successor of St. Peter;
 since we have sworn fidelity to the Re-
 lic, if ever you set your foot on our
 es, as an open invader, or insidious
 ny, in spite of the sanctity of your tem-
 , we will inflict on your temples, tem-
 al cuts with temporal weapons properly
 pered for the occasion. » So true it is
 t my separation of the hierarchy from
 executive power clears away all diffi-
 ties.*

EUGENE.

You have solved this problem as satis-
 torily as its difficulty will admit. This
 1 only be done by a vague approxima-
 n; for the subject may be compared
 one of those equations, of which there
 vays remains an unknown fractional quan-
 y. I cannot better close my questions
 specting the Church, than by asking what
 ethod you would propose for arresting
 e progress of mendicity in your Re-
 blic of Eunesos?

N

CONSTANTINE.

That has always been the *crux po-
rum*. There are nevertheless four
erful engines, by bringing which
play mendicity may, I apprehend, be
pletely annihilated; these are, *Poor-*
which should be moderate; *Hospitals*,
should not be ridiculously ostentat
their architecture, as in Britain; *S-*
banks, and *Colonization*. Colonization s
be annual. There is also another
which should be attended to, which
encourage as much as possible, a
the lowest classes, the expediency o
marrying, till they have at least a
nable prospect of providing for their
dren. David, as amorous a prince as
sat on the throne of Judah, and who
many other sovereigns, loved to scatt
Maker's image through the land, says,
king of children, « *Blessed is the man
has his quiver full of them.* » He sh
have added, « *Provided he has a bow s*
enough, to make them hit the target of
support. » Perhaps the sly monarch

only of the *cause*, and not of the *effect*. Perhaps it escaped him, that if his loving subjects were all as assiduous in their amours as himself, their progeny would often be Lazari eat up all their lives, with vermin, leprosy and sores, and not clad in fine linen, and faring sumptuously like his own bastards. It is evident, he had studied the theory of population only in its *first rudiments*.

EUGENE.

I have now a question or two to put with respect to the tribunals. How many would you propose for your republic?

CONSTANTINE.

In an infant state, no more than two would be necessary ; one for civil, the other for criminal jurisdiction ; but in our times, when the relations of society are so complex, and multifarious, more no doubt would be requisite. Taking then into consideration the multitude of relations embraced by the Law in our days, I apprehend

2. A COURT OF COMMON

3 A COURT OF CHANCERY

4. AN ADMIRALTY COURT.

5. COURTS MARTIAL.

6. A COURT OF EQUITY.

The Court of Equity should
of the first legal practitioners
public; and writs of error from
courts, should to it be solely
will resemble the court of
France. All the patronage of
be vested in this court, of which
cellor of the Republic will be
sident. I saw all the ~~entire~~

CONSTANTINE.

This august tribunal will consist of thirteen members. At the demise, or resignation of any one of them, I apprehend, that the vacant place could not be better filled than by the nomination of the rest of the court itself.

EUGENE.

Would you have the Consul's ministers appoint the judges ?

CONSTANTINE.

By no means. Montesquieu says somewhere : « *Il n'y a point encore de liberté, si la puissance de juge n'est pas séparée de la puissance législative et de l'exécutrice.* »

Now I do not see how the judicial power can be said to be completely separate from the executive, if the judicial office be filled by the executive itself. To ensure liberty, Eugene, we must search for a better source. There exist in most civilized states, certain colleges called Courts of law ; I require as a postulate, that these exist, and

that the students of the law be divided into several distinct classes, such as special pleaders, barristers, conveyancers, serjeants, and others. I propose then ; that the candidates for the judicial office be taken from the degree of serjeants only, and that all the other professors of the law resident in, or attached to these courts, form a body of electors, to rendezvous in the hall of the principal court, and to name the judge by the majority of votes. I have too to propose, that none of the candidates should be younger than forty-five years, and that their stipends should be equal to those of the ministers of state. It is unknown what the public owe to an upright and discreet judge; his anxieties are great, and ought to be handsomely recompensed. This appears to me to be the most satisfactory method of filling the important trust of judge; for if you were to make the people indiscriminately electors, you would not be so likely to get at men of real desert, and knowledge of equity, as from a body of electors composed of persons conversant with the science

itself. Great benefit too, would accrue to the illustrious profession of the law, from the adoption of this method ; for it would serve as a bond of union, and stimulus for exertion, which must be often deadened, when so important a right is vested in the hands of ministers, frequently perhaps promoting their favourites, and often ignorant of the high qualifications essential to the judicial functions.

EUGENE.

With regard to the Trial by Jury, you are so fond of Liberty and Equity going hand in hand, that I hardly think it necessary to ask whether you would adopt it in your Republic of Eunesos.

CONSTANTINE.

I always considered the Trial by Jury as the noblest bulwark of the rights of individuals, in the best constituted commonwealth. But I cannot help suspecting, that the fundamental maxim, which insists on the unanimity of the jurymen is erroneous. We all know, that intelligence in this world,

is differently dealt out to different individuals. Evidences of guilt may strike differently different minds. I will state a case to show you that I disapprove not only of this law, but also of the jury being composed of ~~twelve~~ individuals, and with what I hope you will think good reason. Let us suppose that A. B. C. D. E. F. G. H. I. K. L. M., are impannelled for the trial of a difficult criminal case, depending wholly on much circumstantial evidence; that the six first are conscientiously for the acquittal, and the six last, for the condemnation of the prisoner. *« But you must be unanimous, »* cries the Law: *« But we cannot be so, »* replies the jury; *« We have all been attentive to the proceedings, and have faithfully taken notes; our consciences will smite us, »* cry the first six, *« if we condemn this prisoner, so they will if we acquit him, »* cry the six last. How is the verdict to be obtained? By the law, Eugene, which I now propose which should enact, that the unanimity of a jury is not necessary; that to prevent any difficulty arising from different opinion

entertained on any case, by equal numbers, the jury should be composed of *thirteen* individuals; that the simple majority of the suffrages should decide in cases not capital; that in cases which may involve the verdict of Death, two-thirds of the votes will be at least requisite, to pronounce the condemnation of the prisoner, which number we must call *nine*. « *Numero Deus impare gaudet.* »

EUGENE.

I approve of your amendment. Tell me now whether you would allow the lower classes of people in your Republic, to inflict punishment at their own discretion, on the transgressor of any particular law.

CONSTANTINE.

No; the law must always be « *in seipsâ tota teres atque rotunda*; » the Law loses much of its dignity, when the uneducated rabble are allowed in any cases to be the executioners. I have one or two more points to *tate*, in reference to legislation. One is

from those precepts
dark ages, when the monks had
ponderating influence in the co
vereigns; another, and which is
is, the gradual abolition of the
* *scripta*. For the origin of laws,
pend merely on immemorial usa
generally traced either to the w
despot, or the caprice of some b
the feudal system was prevalent
Such laws then as may exist in
state, and which derive their
from custom, ought to be subm
consideration of the legislature
repealed, should be regularly
entered in the statutes. — And

were there any attached to your Republic of Eunesos.

CONSTANTINE.

They should be styled *Proconsuls*. The mode of administering the government of the colonies should depend on the genius of the colonists. If they were capable of thinking much for themselves, the government should be modelled on principles similar to those of the mother-country ; if, as in Asia, they attached importance to magnificence, the Proconsul should perhaps assume a sort of regal splendour. I have to suggest, that the term of their office do not exceed seven years, the duration of the Consulate at home, and that they should take care to act differently from the Roman Proconsuls, and prove by their conduct, that the colonies can be well administered, when the government of the mother-country is equally so ; also before they set out for their destinations, that they should take with them the letter of Cicero to his brother Quintus, when about to fill

his Proconsulate in Asia minor; they should have a better companion.

Touching the Proconsulates, I would like to suggest, that they should be filled up as often as possible by civil individuals, where the command extends over a district, but not but a fortress; or where the despotism of a rival state contiguous to the colony renders it more expedient to vest the authority solely in a military commander.

EUGENE.

What title would you assign to the Governors of Counties?

CONSTANTINE.

I apprehend that no better can be assigned than *Prefect*.

EUGENE.

And by whom are these Prefects named?

CONSTANTINE.

By the Consul's ministers. They should be generally filled by civil individuals.

EUGENE.

What is your opinion of the policy of orders of merit? Would you adopt any in your Republic?

CONSTANTINE.

Going as I do on the principle of not being too republican, I rather think I would. They should however only be two in number; one for the remuneration of civil virtue, science, and art; the other, for naval, and military desert. All others would be supernumerary, and could only take their origin from court-pride and etiquette. The order of civil merit, I would term the ORDER OF THE WHITE CROSS; and it should be bestowed equally on statesmen, first-rate *literati*, and the most distinguished artists; the order of naval and military desert would call THE ORDER OF THE RED CROSS; the type of that religion, which in opposition to its precepts, has so often unsheathed the sword; but which consoled Bayard, and so many other true heroes, in their dying moments. Each of these orders might

be divided into three classes ; the crosses should be of different enamels attached to the button-hole by different coloured ribbands, marking the three classes. No other *insignia* should be attached to the orders. There is no more vulgar taste in the distribution of orders, than to smear a man of desert with ribbands, and feathers, so as to make him appear a hero of the stage, rather than of real life.

EUGENE.

And who is to confer these orders?

CONSTANTINE.

The Consul certainly, with the advice of his ministers; *conferantur à laudato viro*; we have often heard of the value of *laudari à laudato viro*. The *insignia* should be sent to the deserving individual accompanied by a handsome letter written by the Consul himself; and they should never be worn except at his levees, or other state-ceremonies. Swords and pistols might be voted by municipalities to officers of merit

and books, or pieces of plate, for civil exertion, or preeminence in science or art. After all, Eugene, orders are not quite compatible with the simple grandeur of a Republic ; but as I before stated, my object is not to be too republican ; and he must out-Brutus Brutus in republican sternness, who would not accept with gratitude, a small pledge of distinction from the individual, whose merit had raised him to the chief magistracy, and such a man would be thought by the best disposed of his fellow-citizens to possess any thing but an enviable complexion of mind. I have however this proviso to make, that the order never descends from father to son, and that it should only be conferred as the reward of sterling merit. — Well, Eugene, what do you think of my proposed orders ?

EUGENE.

Why I think them at least as good as a reeking knee-band picked up by a coquette at a ball, or as the weed in the fields,

which the farmer grubs up with his hoe.

CONSTANTINE.

Now, Eugene, I will amuse you with a story. There flourished formerly in Delhi, a great Mogul, who was much respected, or rather feared by his subjects. To reward military merit, he had recourse to what we should think an odd proof of his satisfaction. Did an officer signalize himself in the field? He bestowed as a present, a gold box richly set with diamonds, and containing what? *A hair from his Highness's whiskers.* Three hundred years after the decease of this prince, when Delhi was under one of his descendants, it happened that one Dowlut Rao Sing had won an important battle, which added lustre to the arms of Delhi. He was introduced into the presence of the reigning Mogul, who ordered a gold box enclosing *a hair from one of his whiskers*, to be presented to him in his presence. Rao, on opening the box, without saying one word, burst into an *immoderate* fit of laughter, on finding what *it contained.* (It happened that he was the

native of a state, conquered by the preceding Mogul of Delhi:) Quoth the Mogul in a fury : « *Bind this insulting proud traitor ; away with him to prison.* » Quoth the arch Rao : « *Your Highness may it is true, send me to prison ; but I would have your Highness know, that though your present may have suited Rao's great grand-father, it does not suit Rao himself. What you call pride in me, is nothing more than the progress, which intelligence has made in your empire. The Delhi of to day is not the Delhi of four hundred years ago. The clock no longer points to the same hour. Had your Highness given me some type of the religious institutions which Delhi respects, most certainly I should not have laughed in your Highness's presence.* »

EUGENE.

Thank you for your anecdote from the east. Now tell me whether you would allow the exhibition of public games in your Republic ?

CONSTANTINE.

If well regulated, they are excellent insti

... the proclamation of the
celebrate the signing of peace
then a peace were to take
Consul were elected, orders
sued from the office of the
Public works, to erect a theatre
phitheatre capable of containing
population of the metropolis
might be as follow :

1. *Foot-races.*
2. *Fencing matches.*
3. *Discoboli, or quoit-throwing.*
4. *Foot-ball.*
5. *Archery.*
6. *The French game called
Cocagne.*

c. The expenses of these games, which could be no doubt considerable, might be partly defrayed at the office of the minister of the Public works, and partly, by tickets of admission, at low prices.

EUGENE.

But what would the Calvinists of the republic say to these games?

CONSTANTINE.


Why if they chose to oppose them, they had better select their champion, and let him descend into the *arena*, to settle the business in the best way he could, with the first pugilist of the Republic; so that the spectators might be able to ascertain which of the two is the predestined conqueror elect.

EUGENE.

Would you permit the combats of animals at these games?

CONSTANTINE.

It should depend on the nature of the animals. A lion and a tiger, the princi-



al ingredient of whose natures is ferocity, might be pitted against each other, without tearing the breasts of the spectators with the tender feelings of compassion; the Urns of the Ukraine, or Bion, might each have, to do with four savage mastiffs; a panther or jaguar might be made to settle his differences with a striped hyæna; a leopard, with a bear. Such animals seem to be formed to amuse us with their combats; fighting is their element. But I would not introduce horse, and bull-fights, as in Spain, or bull-baitings, a still more cowardly amusement, as in Britain. These exhibitions should however be very rarely permitted.

EUGENE.

Would you allow of *boxing* in your Republic of Eunesos?

CONSTANTINE.

By all means. Let us leave to the *highly civilized* Frenchman, his sword, to the *dour-refined* Italian his *stiletto*; and to coarse

like you and me, their *fists*. The Greeks, as well as the hardy Romans and their *boxers*. Never suffer yourself, Eugene, to be laughed out of these exhibitions; which if not carried on, strengthen the chest, and muscle the præcordia, and make the low-est indifferent to the minor evils « *Young sweating devils*, » which a good many of us, are often expelled by a *fist*. When a *fist* the nest in which they squat, I see them fly; wings, horns, cloven and all.

EUGENE.

; do not make the experiment on me now what *costume* you would for the principal functionaries of public; and with this, I will finish with you.

CONSTANTINE.

imis, tum de maximis curabimus.
The Consul could not do better

civic crown except at the
his consecration; when he
prorogues the legislative C
should appear in his robes or
them on no other occasion.
composing the Upper Chamber
adopt robes of the same :
toga consularis, but of a blue
this distinction would suffice
well as the Consul's, will be
the finest texture. As for the
ber, emanating as it does from
ple, any distinction of dress
superfluous, unnecessary. I
ver proscribe the *pigtails*, as
legislative Chambers as little

ting France in dress. Call to mind Milton's description of Adam :

" His hyacinthine locks

Round from his parted forehead manly hung. "

What a pity it is the Poet did not clap a *pig-tail* on our general ancestor!

EUGENE.

Always at Rome, I perceive, Constantine. You will never be satisfied, till you raise another Capitol, and a *Templum Jovi Capitolino*.

CONSTANTINE.

Eugene, be at least fair. If I propose the Roman *costume*, it is not from the puerile wish of imitating it because Roman, but because it will be found to be the most noble, and manly habit ever invented. The blue colour which I have proposed for the nobles, is at least original. I do not servilely *copy*; I only select. *Colligo aurum, mi Eugeni, de stercore Rerumpublicarum*.

None but in the size of the s
the jeweller would arrange b
you or I.

EUGENE.

Now that we are turned tail
pose we shall become *perruqu*
Republic. How would you dres
of the Church? *En fillette à i*
The Bishops? In full-bottomed
Constantine?

CONSTANTINE.

Why, if I wanted to make tl
lous, that would be the dre
propose. I should say, that if
no powder, and put over their

), they would look more respectable in those preposterous wigs, which disposed to laugh at. The dress uggest, will remind Eunesos of the nplicity of the primitive Church.

then assigned red, to the Con- to the nobles; aud black, to the What colour can we muster for :emen of the long robe? green and re too gaudy; white would be contract dirt, like the trade it- :etimes. There remains then no- ter than a chocolate brown, seen id spare in the barrister, getting fuller and fuller in the superior ll it terminates in full brown robes oth, of the same form as the *toga* seen in the Presidents of either

You know that I hate any thing in real life; the *costume* then, have suggested, I hope you will *Persicosodi apparatus.* » But spleen *legislator may make a good speech w coat, green waiscoat, red bree- k stockings, and white shoes; »*

portance than we may at first
Any thing ridiculous should be
Supposing at the audience given
Roman Senate, to the Syrian ambassador
charged to present the Cande-
by Antiochus, for the temple
pitoline Jove, the Senators had
in robes composed of a patch
here, a patch of red, or gold there
on this side, a tassel on that
plume of feathers on the head,
of silk ribband on the shoulder
of that simple attire, which struck
them even in the eyes of barbarians
lords of human kind. Supposing
Catulus had appeared in a pon-

powder and pomatum, would not the ambassadors have whispered to each other, in the anticamera of the Senate, *« Is it possible in the name of Astartè, that this can be the Senate, whose influence extends to the utmost limits of the earth ? »*

EUGENE.

Why the ambassadors would have had reason to stare certainly. But I had almost forgot your Consul's civic crown. I hope you have prepared something that does not clash with the Capitol.

CONSTANTINE.

It will be of pure gold, and composed of oak, and olive branches intertwined. The oak emblematic of strength and firmness; the olive, of peace.

EUGENE.

Would you suggest any other *insignia* for the Consul?

CONSTANTINE.

I have to propose, that when he enters the Senate for the purpose of convening

proroguing the legislative Chambers, should be preceded by two state-officers, each bearing an ivory staff, five feet length; one will exhibit a personification of *Religion*, with her attributes, eight feet in height, carved in ivory, and standing on a globe of the same material; the other, its companion, will represent *Justice* with her attributes. And these two *principes eburnei* will always precede the Consul on state-ceremonies.

EUGENE.

But we must not forget the curule chair.

CONSTANTINE.

It should be made of heart of oak, exactly similar to the *sella curulis* of the Romans. No ivory, no gold, no studs, no velvet testers with coats of arms, overshadowing it :

The Presidents of the two Chambers might also be seated, in two oaken chairs of the same form, but smaller than that appropriated to the Consul.

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Behold then my Consul, and my two Presidents seated, neither of them with ponderous perukes, or effeminate powder, and pomatum, but completely *nel gusto Romano* !

EUGENE.

Supposing a coinage were to take place under any Consul, how would you arrange it?

CONSTANTINE.

One side of the coin should exhibit the profile of the actual Consul, engraved in a masculine Roman style, without the civic crown, with his surname, or title if he has one, thus : « *Titius Consul* », and on the reverse, there will be the personification of Eunesos with her attributes, habited like the goddess Roma, and on the exterior edge of the coin, « *Cedant arma togæ.* »

EUGENE.

Now for your state-maces.

CONSTANTINE.

They will be four in number, and of

a personification of *Concord* ex
a corresponding manner; and
maces with the consular civic c
tween them, will be always laid
ble of the Upper Chamber. A thi
executed in the same manner,
a small personification of *Comm*
her attributes; and a fourth, i
nion, will represent *Agriculture*
attributes; and these two last v
insignia of the table of the Low
ber; that the representatives m
ways reminded of their being
tic of the two great pivots, on
prosperity of their country rev

a horse rampant. Underneath will be the motto of the Republic : *Cedant arma togæ.*

EUGENE.

Now for your ensigns of the army.

CONSTANTINE.

One will be the regimental colours, white, blue, green, red, or mixed, as they may happen to be; the other will be a plain crimson flag, on which will be emblazoned the national arms, supporters, and motto as before. If you can suggest any other motto more appropriate than the celebrated exclamation of Cicero, I will thank you for it; I can think of none.

EUGENE.

Ill befall him who thinks ill of the motto which you have adopted. But why the bull and the horse for supporters? Your ancestors came from Ireland to Boston; that will account for your predilection for *bulls*.

CONSTANTINE.

Come, I'll not be laughed out of my bul

personated their rivers under the
a bull, in allusion probably to the
which they administered to them.
The Popes had their *bulls*; only
not of so tractable a breed, for
as driven out of Rome, being
they frequently returned, and hurled
keepers into the air:

*« Then might ye see
Cows, hoods, and habits with their wings
And flutter'd into rags. »*

A celebrated transatlantic natic
John Bull. The great luminary of
never looks so cheering as when he
Taurus. It is then that the spring

EUGENE.

But why the horse ?

CONSTANTINE.

A horse is emblematic of true nobility ; « *His neck is clothed with thunder.* »

A horse was the distinctive attribute of Neptune, who struck his favourite Attica with his trident, and up sprung a horse :

Fudit equum, magno tellus percussa tridenti. »

It is therefore the emblem of the sovereignty of the seas ; and it was for this reason, that the Carthaginian coins and standards exhibited a horse's head. I will not abandon my horse and bull ; but will prize the first by his mane, and the latter, by his horns, and will back them against heterogeneous animals, which you may not be able to name.

EUGENE.

Let the bull and horse carry the day.

CONSTANTINE.

Let me add one or two other minor points upon, the adoption of which would

the metropolis , and ~~provin~~
There are in most states , many
ple., both male , and female ,
comes , who would derive much
and pleasure from such institutio
is the abolition of liveries for s
badge of servitude has always e
the same ratio as the pride of
the pretensions of a powerful
« *Down with the liveries* » shoul
from one end of the Republic
And now that I have to do w
they remind me of proposing t
of any absurd distinction of d
junior students of the unive
richer might adopt black silk,

The beadles of the universities should carry two maces of silver, one representing *Religion*, the other *Science*, each standing on a globe; and these two maces will always precede the Chancellor, when he goes to the Senate for the despatch of university business.

So much then for the *minima Reipublicæ*.

Yes, my dear Eugene, the more I consider an hereditary chief magistracy, the more I disapprove of it, and the more I think it unworthy of a great and enlightened nation. It can only be adopted advantageously by a state, wherein a military spirit is too predominant, and where, if the power of election were granted to the people, they would be corrupt and vile enough to name a military chief; but as I before said, in a state, like our own, in which the great majority of the people is well convinced of the extreme importance of keeping the military always subordinate to the civil power, and where.

the power of election were granted them, they would always take as name a man of pure civil merit to fill executive, for a limited period, and limited power; the advantages which accrue to that state, are so obvious to make it, one would think, superfluous to point them out.

In the first place, the evidence of history proves that man was not created for a too long possession of power. All those who have presided over the record can scarcely name an Alphonso, a St. Louis, to counterbalance in some slight degree, those endless wars, factions, and wars, which have their source in the maintenance of indefeasible rights of kings, grounded on alleged divine right. The heir, Eugene, an hereditary crown is generally a spoiled child; scarcely are his intellectual faculties developed, before the poison of flattery is instilled into his ear; he is a blend in the world like another man in general, cannot travel, and is

mind with that variety of knowledge so essential to the holder of the executive power, even in a triform state. But granting that he were a phænomenon, I would still persist in opposing his right to a too long monopoly of power, inasmuch as experience proves, that it precludes that salutary change of patronage and measures, so requisite for the well-being of every state. It does not require a very comprehensive knowledge of the movements of the political machine, to be aware, that from an occasional, but not perhaps too sudden transition from one system of policy to another, good is found to spring up, where evil was before, and *vice versâ*. The political body is recruited and refreshed by the change, in the same manner that a variety of aliment strengthens, and is salutary to the human frame, or as the farmer meliorates his lands by a change of crops. And perhaps it may be fair to derive arguments in favour of this, from a certain analogy observable in the physical and moral world. Look at that peach-tree, Eugene, in blossom

person, in emulation of
to go through life with
servance of every rule
sonant with every more
nor propriety, such a being
lay claim to our admiration
rather consider him in the
nomenon to be stared at
our own species. In the
in an enlightened state,
half a century or more,
binet inflexibly persevered
system, and biassed by
dices, one part of the country
with wealth, orders, and
part always contending

men, whose opinions, though different from those of the actual holders of power, would be productive of benefit in other channels, though not equally so in the same; I say such an arrangement is also out of order, and incapable of producing those advantages, which result from that beneficial change and variety, observable in all things below.

Those, who examine attentively the movements of a triform state, with an hereditary executive, will I apprehend, be convinced that they are attended rather by the mere *umbra*, than substance of liberty.

The people are cajoled by the *struggle to obtain*, they are scarcely ever in possession of, the advantages, which the system appears to hold out. I always mean to separate liberty from *licentiousness*. Watch attentively the issue of debates in either legislative Chamber, with an hereditary executive, and how very rarely it is that the measures suggested by the actual ministers, or their adherents, are successfully op-

thing be effected ? A system
arranged may be compared
makes continual encroach
rights of his neighbours; bu
and influence are so great,
afraid to oppose his aggressi
no recourse left, but a mere
may bawl » he cries, « *as long*
it is uniform to me; » or it may
to the general, who wishing t
fortress, would load his arti
thing but powder and wad
mean to assert that this would
to be the case to a certain
the best regulated governm
theory of every governmen

measures, ensured by an occasional change of the holder of the executive power, are sufficiently apparent to every candid mind. It may be received, Eugene, as an aphorism in politics, that a system of politics, though obviously erroneous, provided it be pursued for a *short* period, is less destructive of the welfare of a nation, than a protracted and obstinate perseverance in one, which may have a greater colour of justice and plausibility. I cannot better illustrate this truth, than by imagining that my island of Eunesos has its elective Consuls. Let us then place Consul A. on the curule chair. His ideas and disposition are pacific; he names ministers, who enter generally into his views; the agriculturist and manufacturer thrive under his consulate, the military and marine are inert; and the monied interest has no remarkable activity. Follows Consul B. a man of considerable talent, and ambitious of illustrating the arms of the Republic. He appoints his ministers, and war is declared. Things then go not quite so prosperously with

the country, to 8-

tary and marine, at least as ~~the~~
fortune of war may permit. Taxes ~~and~~
and the national debt accumulat
calls forth intelligence in a thousan
The commercial interest, it is true,
but not more than it can bear, fo
well pampered under the preceding
Such are the leading features of th
sulate of B. Succeeds Consul C. a
an elegant turn of mind, and disp
the arts of peace. He removes all
herents of B. proposes, and conc
will say, peace, if not on ~~super~~
at least on equitable terms. Th
and commercial interests are
~~the~~ ~~most~~ embellish the metrod

tion of the national debt, incurred during the expensive Consulate of B. and from which the nation still suffers. By strict economy, his ministers succeed in almost extinguishing the debt incurred by B. and the lower classes are relieved from the additional taxes imposed. But the artists, who enjoyed their tide of prosperity during the preceding Consulate, are now rather in the back ground, so is the military and marine, they do not however murmur, for they console themselves with the old adage: *« Every dog has his day. »* The exterior relations of a state might no doubt sometimes prevent the introduction of this beneficial change of system; it might sometimes be impolitic to introduce it. Still the chance of being able to effect it, is a great thing gained; and none of us are ignorant what a powerful agent hope is in all the concerns of this world. The views of foreign cabinets must too be materially influenced for the better, by the change of the chief magistrate; and that pertinacious attachment to one system engendered and

nourished by the pride of courts, and the pretensions of particular families, if not annihilated, at least greatly weakened. Rebellion, and discontent too, under this regular change of an elective chief magistrate, must be necessarily rarer, than under an hereditary prince. Let us take for example the Consulate of B. and let us imagine that under him, the commercial and agricultural interests show symptoms of great discontent. « *Let us see,* » cry the disaffected, « *how long this man's Consulate will last; we have already had him six years, there only remains one; let us be quiet friends, things will probably take another turn under his successor.* » Mark well the difference, Eugene, if Consul B. be an hereditary prince blessed, or scourged, I know not which, with a strong constitution, and brooding over a state for half a century or more; the same tenor of ideas biassing his cabinet; taxes, and public debt augmented beyond all bearable bounds, the military and marine eternally besmeared with ribbands, at the expense of the welfare of the major

part of the people : *« God knows, »* they cry, *« how long we may remain thus ; if the present holder of the executive dies, his son imbibing the same prejudices, and range of ideas, with his mother's milk will most likely continue in the same course as his father. What remains for our consolation ? Hunger and nakedness at home, or a precarious existence from emigration abroad. »*

It almost excites a smile of pity, to see a man, like Burke, endeavouring to prove a position, which neither the most enlightened philosophers, of ancient, or modern times, ever dreamed of proving : an hereditary right to a chief magistracy. I allude merely to what he says in his celebrated *Reflections*, on this point ; for all his other arguments appear to me not less remarkable for the ingenuity, than the soundness of the doctrine. That great man committed no doubt this *pious fraud* on our understandings, from the honorable motive of wishing to rescue his country from those scenes of horror, which with the pretext of reform, were lighted up by headstros

and sanguinary demagogues in France.

To show how easy it is to neutralize his arguments, let us suppose that William, George, and James chose to set up each his pretensions to any throne, that the two first were twins, that the queen-mother was unexpectedly delivered of them both, after a gestation of seven months; and that from some accident, it was not certain which came into the world first; that neither of them had an iron visor screwed to his temples, in the cradle; that James claimed his right to the throne, as being nearest descendant of a dynasty expelled by a former legislature, but which for many ages had occupied the contested throne; let us suppose, that each of the three claimants had numerous adherents. Their respective lawyers might wage intellectual warfare *ad infinitum* and gain nothing. If the pretenders were to have recourse to the *ratio ultima*, they would entail on themselves, and their posterity, curses both loud and deep. " *It's mine*, " quoth William; " no, no, no, *it's mine*, " cries George, eying him sternly.

« *I swear it's mine,* » retorts James, frowning severely; « *my ancestor was ousted by a corrupt legislature.* » Only mark the perplexing *bizzarrie* of the condition of a state thus situated; enough to split the ribs of a hoer with laughter, would not his ridicule be checked by the consideration of the probability of tragical results.

But this Gordian knot, did it exist, would be untied, not after the compendious method of Alexander, but quietly and satisfactorily, by the *fingers of the elect of the people.*

« *Hi motus animorum, atque hæc certamina tanta
Vocibus electis patriæ compressa quiescunt.*

——— *Melior vacuâ sine regnet in aulâ.*

*Nam duo sunt genera; hic melior, ille horridus alter
Desidiâ, latamque trahens inglorius alvum.* »

But if the system of an hereditary executive be pernicious to a nation, from the difficulties with which the succession is often attended, it is not the less so, to the holder of the power himself. I do not find that history dwells on any insults offered by the Roman people to their Consuls. One of

was convicted of wishing to en-
potism; the affair of Appius
well known; and some were
misconduct in war; but I do
they were ever hooted at, or
populace, as they went to the
the contrary, we have good
think, they were always trea
greatest respect, even too in p
most tremendous discord. The
tiline was struck with awe at
Cicero shaking in every nerve
he was not an every-day Con
heard in modern times, of respo
and their consorts being rou
by the populace, but this most

propagated among a people. If the chief be of an imbecile mind, he will generally be managed by his ministers; if of a strong, and virtuously inclined one, the constant struggle which he will have within himself, the ceaseless anxieties which he must undergo, holding his office for a long period, will often terminate in the lamentable affliction of insanity. If he holds the supreme station for a moderately short period, he will reap not only honour, but a considerable crop of pleasure and satisfaction, especially if he works his way gradually upwards; if for a long one, he becomes little better than a harnessed slave, more the object of our compassion, than envy. No sensible man would wish to hold so responsible and heavy a trust long.

An hereditary executive also is noxious to a nation in a legal point of view. Any person but little conversant with law, must be aware that our penal code has made a nearer approach to equity, than those *of other nations*, whose experienced legislators have had incessant contention with

the American states, ~~was~~
be said to be half a century old
a penal code superior to
nations can show, which have
laws under the superintendence
hereditary chief magistrate. The
zlinghalo surrounding an heredi
often mistaken for the real sun
tion, and which prevents it from
equally its beneficial rays. The
of legislation, in the higher de
state, has been to apply its
this world were a perfectly sta
The voice of all Nature cri
subject to continual vicissitud
~~vicissitudes~~ have a certain de

founders of our Constitution assigned to the office of our chief magistrate a limited period, that the sense of the people might be consulted from time to time, with respect to the measures pursued, and that if they disapproved of them, they might have in their power the nomination of a new chief magistrate, who might counteract the calamities entailed on their country, by the measures of his predecessor, and coadjutors; for the experience afforded by a triform state, with an hereditary executive, proves, that an opposition however ably conducted in the Legislative, is too often ineffectual in bringing about a change of system though loudly demanded by the majority of a suffering nation.

No, Eugene, we sharp-witted Americans are not to be dazzled by the *ignis fatuus* of an hereditary *divine* right to the chief magistracy; we place that *divine* right in the *hearts of the elect of the people*; and we leave to the children of the old world to quarrel, and torment themselves about it, as they choose. Our Presidency is al-

ways conferred on elective *autochthones*; and we are as jealous of these, as were the Athenians of their grass-hoppers. We do not want to have things put in a train for the reception of « *verbosæ et grandes epistolæ* » by Congress, beginning : « *Quid scribam vobis, aut quomodo scribam, aut quid omnino non scribam ? Di me decæque pejùs perdant, quam me perire quotidie sentio, si scio.* »

The arch America in her robe embroidered with her thirteen stars, every four years, quietly steps up to the President's chair, and as quietly pulls him from his seat. She does not agitate her nerves, as silly Europa would on a similar occasion. She also takes good care to bestow her chief magistracy as the reward of *civil merit*; and if ever our countrymen are weak and degraded enough, (which God avert!) not to be aware of the great benefits which accrue to our states from an elective Presidency, and the salutary change of *patronage* and measures resulting therefrom, and *ensured* thereby, instead of the golden

harvests which they see smiling around them, I hope from that moment, they may reap such crops, as sprung from the teeth of Cadmus for their pains ! Thank God, Eugene , the crew of no foreign vessel can sail by the shores of our country, and pointing at them with derision, cry : « *There are the great and glorious states, whose people are so industrious, whose orators are so renowned, whose armies are so distinguished, whose fleets traverse every sea ; they do not know how to remunerate well attested civil merit with the chief magistracy, like manly nations. Hah ! hah ! hah ! hah !* »

Supposing that the frantic wish of asserting a divine hereditary right to our Presidency seized like a paroxysm of mania, or a stroke of paralysis, any one of our Presidents, would not the very market-sweepers of Philadelphia thus address the deluded man ? « *How will you prove it ? By incarceration ? But you will not make yourself amenable to false imprisonment. By force of arms ? But you are an elective civil magistrate ; the temporary guardian of* »

established rights. Prove then this your hereditary right. Ransack the archives of the state; make over to us, and the voucher signed, sealed, and ratified by the Most High; which when you have produced, and properly certified, whatever you are, whencesoever you come, we are submissive, and wear you to our heels — Aude nunc O furia, de tuâ hereditate dicere prærogativâ!

There is something so full, so rich, and satisfactory, it sheds such lustre on human nature, as well as on the annals of a country, to see a people capable of conferring the supreme power on a deserving individual, that those nations can scarcely be said to have attained a degree of civilization, that are incapable to name one regularly, and at long periods. The system, perhaps would suit every people; especially those whose temper is too military; but it would certainly succeed in a state, wherein the majority of the inhabitants are

formed, attached to civil institutions, and capable of self-command; where a humid climate tends to dispose the mind to much thoughtfulness and melancholy; where a powerful stimulus for honourable exertion, provided order be guaranteed, is rather to be courted than repelled; and where the election of the chief magistrate would diffuse a vivifying interest among all classes of the community. « *Who's to be Consul ?* » A question which would be echoed from one end of the Republic to the other, and would not fail to exhilarate the most saturnine and epileptic visage. But in an hereditary succession, we feel about as much interest, as when the nurserymaid substitutes one wax doll for another. The evidence of history proves too, Eugene, that eloquence has been always found to assume a nobler character in Republics, than in states otherwise constituted. This alone, is so great a thing gained, that even if the disadvantages on the other side were numerous, which is far from being the case, it would »

pear completely to counterbalance them in my eyes.

What would the Athenians have said, had some orator from the Pnyx proposed, that it was necessary to send for some Persian prince, or princess, to keep up an hereditary litter for the archonship? What the Cretans, and Carthaginians, whose institutions have been so praised by Aristotle? What the Romans, had some Senator thus addressed Cicero, when Consul : *« Nothing remains, Marcus Tullius, for thy glory, but to repudiate Terentia, and marry the daughter of Antiochus ; if she will not suit you, take the sister of Deiotarus ; marry a woman you never saw, there's a brave Consul, and give us a Gallo-Græco-Roman for your legitimate successor. If you leave us an only daughter, no matter ; she shall be Consulesse, and Pontificia Maxima, into the bargain. We want a series of hereditary Consuls, and Consulessees. A vertigo has seized the Republic ; we have not intellect enough left among us to renumerate men of real me-*

rit and moderation, with the Consulate, without overturning the state from its foundations ? »

But not to have recourse to antiquity for argument, what would the Genoese have said, if after the death of Andrew Doria, some one had proposed to make the Doge an hereditary prince ? What the Venetians, if in the glorious epochs of the Ziani, the Pisani, the Contarini, the Gritti, the Morosini, some one of the Grand Council had suggested that the welfare of the Republic required an hereditary ducal *corne* ? Would not the cheeks of the auditors have been crimsoned with blushes ? Would not groans of indignation have burst from the very stones of the Broglio, and the Rialto ?

There is nothing more mistaken, Eugene, than to imagine that a State cannot last long with an elective chief magistracy, or that to support it, it requires an Utopian and unattainable degree of virtue in the people. The Roman commonwealth subsisted four hundred and sixty years, in spite of the endless ferments, arising part-

ly, from the too short duration of the consulate ; and chiefly , from her discouragement of a military spirit, and more especially, the bane of the Republic. The Serene Republic of Venice lasted fourteen hundred years ; it rivalled with the monarchy of France. The history of its government may divide into four distinct epochs : the first, comprising that early period , when the government was purely democratic , and was vested in the hands of elective tribunes ; the second, when the Doges were elected for life, who frequently abused their trust, and fell into the hands of tyranny ; the third, when the power was wrested from the Doges , and centred in the Senate, subject to checks from the Council, which at first appears to have been a species of popular elective assembly ; the fourth , when at the commencement of the sixteenth century, the creation of three State Inquisitors, and the introduction of hereditary succession of the members of the Grand Council, levelled a deadly blow at the liberties of the Republic. The

was her most happy period, for she then enjoyed to all appearance, a firm government, tempered perhaps with as much liberty, as her perilous position with respect to Turkey, and other rival states, would allow. Notwithstanding her pernicious error in subsequently establishing a permanent state - inquisition, Venice never lost sight of the sound policy of electing her chief magistrate; she frequently too made the office the recompense of civil exertion, and merit, and we find that of her one hundred and twenty Doges, many were men, who either distinguished themselves in a civil career, or whose respectability of character made a favourable impression on the minds of the eleven electors drafted from the Grand Council. No wonder that the great Henry Bourbon gloried in his title of Venetian Senator. But it is not my object of inquiry whether Venice enjoyed liberty or no; all that I seek to prove from her example, Eugene, is, that a country with an elective chief, can subsist for a very long period, as was the case with Ve-

that her morals
so strong were
er government
period in her
were off Pales-
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regularly elec-
hen the Turkish
or in the *faucis*

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ected in the room
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the chief magis-
and suffered due
ice. So indelibly
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the loss of his head on the scaffold. — I remember, Eugene, when at Venice some months since, I was shewn in the Church of *San Stefano*, a bronze tablet, consecrated to the memory of the man, with whom the fading glories of the Republic may be said to have been interred; it bore this imposing inscription : **FRANCESCO MAUROGENO PELOPONNESIACO.** « *Fortunate General,* » I exclaimed, « *whose fame shines forth in full blaze ; whose sword was unsheathed, not for the maintenance of hereditary pretensions, but for the integrity of a well-constituted Republic!* » I saw too, in the Chamber of the Senate, where there is nothing now but a death-like silence, a picture, one of the most interesting of the works of young Palma, allegorical of the political position of Venice, at the period of the league of Cambray. On one side, stood Europa, with the arms of the different states confederated against the Republic, emblazoned on her shield; on the other, rose *Venezia la dominante*, as she was called, with her lion and sword, in the act of springing at Europa,

command in his

long a period, formed the characteristics of the Venetian. With both his arms extended he would be exclaiming : « *Rise then Adriatic!* » I thought with regret, I should have expected to find in the hands of a luxurious Prince; instead of those of IRENEO, who had attained to power through his own merit and the suffrages of the electors. What a pity it would have been! What a deplorable waste of genius of young Palma!

civic crown ! What an illustrious example do our states afford to manly and sensible nations ! Picture to your imagination the chief magistracy exhibiting perhaps at one period, the spirit and gallantry of Pompeius Magnus; at another, the lettered ease, and placid dignity of Pomponius Atticus; at one while, inclining perhaps to the profuse hospitality of Lucullus; at another, to the austerity and self-denial of Brutus ! But I will imagine nothing chimerical, or Utopian; splendid talents, especially those of a military cast, are far from desirable, nay, they are to be deprecated in the holder of the executive power of a triform state. Let him have his flaws and foibles like another man; I will take men as they are, at their ordinary level, and will still maintain, whatever may be our opinion respecting such and such individual, who occupies the supreme station, that it is from the variety of character and ideas, the change of patronage and measures ensured, not too frequently if you will entered upon, *that the highest benefits must accrue to ci-*

vilized and well constituted communities. There is something so august in the bare mention of the word « *Republic*, » in the unadulterated acceptation of the term, that those people one would think must be either a prey to military ferocity, like cannibals, or they must be mean-spirited in a civil sense, if incapable of realizing one; since it is incontestable that the high destinies of nations in the great career of the universe, are too materially influenced by the too long monopoly of power vested in the same individual, or the same family.

Convinced then as I am of these important truths, did my imaginary isle of Eunesos exist, I would thus address her :

« Give me the man for your Consul, Eunesos, who centres his happiness in the discharge of his duty ; in whose forehead, I can distinctly read the words : « I feel grateful for the honour conferred ; » who can rise early, and despatch business with his private secretary ; who so presents himself at his levee, « ita ut nec illi facilitas

auctoritatem, severitas amorem diminuat; » who examines occasionally in person, the naval and military arsenals, and principal schools of the Republic; visits once during his Consulate, the universities, and literary establishments; desires the heads of the different associations to point out to him the students most distinguished for their industry and talents, and invites them to dine with him; who can pass twice or thrice during his office, through the wards of a hospital, or the cells of a prison, (and his mere shewing himself there would be attended by incalculable benefit;) who, at any review of the military, takes his ground,

« Not with the tedious pomp

That waits on Princes, when their rich retinue
Of horses led, and grooms besmeared with gold,
Dazzles the crowd, and sets them all agape, »

but plainly attired in a civil suit, and this not from affectation, but with the view of tacitly proclaiming to the bystanders :

« Happy is the state, for the civil is paramount to the military ; provide that it remain so ; »

*who shews all the acerrima mens of
 tus, in the discovery and remunera
 talent; and if any brilliant or useful
 tion be made at home, or in any
 country, makes inquiries respecting the
 who if poor, receives from his privat
 a reward; if rich, a letter couched
 ging terms; who during the recess
 legislative bodies, can steal a mont
 the formalities of office, and pass i
 paternal estate, like Tullius at Arpi
 the company of the friends of his you
 can be found perhaps some summe
 ning, by the state-messenger, water
 fruit-trees like Hortensius, or sitting
 of his farmer's cottages, and sayin
 Ausonius : « Cunæ hîc, ibi sella cu
 who can see the last moments of h
 sulate expire with as much indiffer
 the wick of a rushlight; or if he sh
 tempted to cast a « longing lingerin
 behind, » easily obliterates it by th
 tion, that all human glory must pas
 and that it is nothing but equita
 him to make way for the comers «*

ever glorious to himself; and beneficial to others, his Consulate may have proved; who in fine, as he descends from the curule chair, recruits his virtuous energies with the recollection of these magnificent lines :

« Interea cursus quos primâ à parte juventæ ,
Quosque adeò Consul, virtute animoque petisti ,
Nos retine, atque auge famam laudesque bonorum. »

CEDITE, CONSUL VENIT; DATE VIAM CONSULI;
SI VOBIS VIDETUR, DISCEDITE EUNESIOI.

Forward then, my Consul! Your country Eunesos stands ready to receive you; take from her hands that meed,

« Which Fate and metaphysical aid doth seem
To have thee crown'd withal. »

Precede him two officers, each with the Scio eburneus : follow him his wife, first woman of the Republic, with your marriage bed undefiled, with love for your children, with zeal for the welfare and glory of your husband, you may set the sneers of your rivals at defiance : accompany him ye Proconsuls of the colonies, destined to carry out the lights of civilization from the mother country, and if not to respect, at least to

abstain from rashly interfering with the religious institutions of the nations committed to your charge : advance with firmness, Presidents of either Chamber, ye corner-stones of the Republic, each with the erudition of a Bacon, without his dirty fingers : forward, Head of the Church, and Bishops, ye main bulwarks of the morals of the commonwealth : make signals of reverence, ye Nobles in your purple robes : Members of the Lower Chamber, your hands to your hearts, as you pass your venerable mother : kiss her hand, President, and Members of the High Electoral College, she extends it with confidence : bow with reverence, ye Prefects of the counties : advance, ye elective Judges, never to be seen at the Consul's levees, and conscious of your own noble independence ; precede them, thirteen respectable men, accompanied by a standard, shining with the words, « Trial by Jury, » present it to your general mother, as her noblest palladium : Members of the Law, venerate her, whose rights you are bound to protect ; of the Church, her, whose morals it is your duty to support : follow merchants, manufacturers, and landhold

sheet - anchors of the state - vessel : advance, ye tenantry, and husbandmen, with awfulness impressed on your countenances : at her feet the two orders, ye heralds the Republic, and thunder in her ears you pass by, « Cedant arma togæ : » up your swords, ye officers of the army & navy; lower the standards of the Republic, ye ensigns, as you advance; soldiers, and sailors, your hands to your caps, as you pass your venerable mother : bring up the rear, rabble, wave your greasy hats, give your mother Eunesos three cheers; for she has dared to recompense well attested civil virtue with the chief magistracy; your Consul has found his reward, he has sweated out an anxiety of mind in your service, which you can never know; he will be attentive to your interests; he will also take care to punish those among you, who wilfully violate the laws. Let the great theatre ring with one general huzza — fill the air — fill it full. »

EUGENE

You have made of your peroration a theatrical pageant. What a pity it is

you did not introduce troops of girls
ed in white, and crowned with roses
head your procession !

CONSTANTINE.

Bring them along by all means. Let
bells tune their jocund rebecks. Scatter
flowers as they go, let them precede
Consul by tens and by twenties, as
did, our President Washington, who
landed on the New-Jersey shores. Have
a symphony ready for them :

« Strew your Consul's way with flowers,
Strew ye fair, his way with flowers. »

He rules, but claims no right divine;
His country bids his merit shine.
She gives, he gratefully receives;
And when she lists, his station leaves.
No crowns adorn his lineage tree;
His own desert's his pedigree.
No arms, no heralds round him move;
His trophies are, a Nation's love.

« Strew, ye fair, his way with flowers;
Strew your Consul's way with flowers. »

EUGENE.

And where did you conjure up this
constitution ? In Italy haply ? for you
been at Venice ; at Cambridge perha

CONSTANTINE.

Neither in the soft air of abjec
nor in the searching atmosphere

ridge : it was among the glaciers of the Alps, the caverns of Jura ; it was on the margin of the crystalline lake, where the poet was inspired with these brillian-
 nes :

« Mon lac est le premier ! C'est sur ses bords heureux
 Qu'habite des humains la déesse immortelle,
 L'âme des grands travaux, l'objet des nobles vœux,
 Que tout mortel embrasse, ou désire, ou rappelle,
 Qui vit dans tous les cœurs, et dont le nom sacré
 Dans les cours des tyrans est tout bas adoré.
 La Liberté ! J'ai vu cette déesse altière
 Descendre de Morat en habit de guerrière,
 Les mains teintes du sang des fiers Autrichiens,
 Et de Charles-le-Téméraire. »

EUGENE.

I should have thought rather in the
 ins of the Roman forum, or the shades
 Tusculanum.

But you must be fatigued by this time
 antine, « *tot sustinens et tanta negotia*
 » Your palate is getting rather dry,
 so wonder. I have with me a small keg
 aret lately consigned by a friend at
 aux ; it is the produce of the estate
 formerly belonged to Montesquieu :
 propose his memory in a full goblet

I will not [REDACTED] you on
Here is another : *The e*
of the United States; an
Magistracy ever be the rev
merit !

CONSTANT

And now that we hav
libations, it is full time
rate; for the hoarse mur
Falls steal more and mo
the fire-flies are already
woods; and Night is s
lengthening shadows ov
panse of the Potomac. I
angry clouds gathering
east, which admonish u

APPENDIX I.

CONTAINING

SQUITINIO NUOVO
DELLA LIBERTA VENETA;

with an

Inquiry into the Mode of Electing
the Doges of Venice.

From a M. S. in Constantine's Portfolio.



A P P E N D I X I,

CONTAINING

SQUITINIO NUOVO DELLA LIBERTA VENETA ;

with an

Inquiry into the Mode of Electing
the Doges of Venice.

THE mode of electing the Venetian Doges as been considered by most statesmen, and diplomatists, as a political *chef-d'œuvre*. The complicated process which the republic finally adopted, with the view of effectually obviating the possibility of *rigue* and corruption, was as follows :

All the Nobles, who had attained thirty years and upwards, having rendezvoused at the palace of St. Mark, the State-officer threw into an urn as many balls,

as there were nobles present ; thirty of which were gilt.

The drawers of these thirty balls then put into an urn nine gilt balls, and twenty four white. The drawers of the nine balls were the Electors of forty other Electors, who were chosen from different families; and among these, the drawers of the nine balls might include themselves if they chose.

These forty were then reduced by ballot to twelve ; which twelve then elected twenty-five Electors; the senior of whom was entitled to name three; the eleven others, two. The twenty-five were again reduced by ballot to nine, who elected forty-five new Electors, each of the nine naming five. These forty-five were reduced by ballot to eleven, who named in fine the *forty-one*, who composed the electorate of the Doge. It was necessary for the election of the *forty-one* to be confirmed by the Grand Council.

In the early epochs of the Republic, the *Doges* were elected by the general voice

the people (1); this method, as the population increased, opening the door to confusion and tumult, was changed after the death of Vital Michieli, whose successor Sebastiano Ziani, was named by eleven electors (2). This number was subsequently reduced to forty-one. Of these, it was at first requisite for the successful candidate to obtain twelve voices; but it was afterwards decreed that his election could not be valid unless he had twenty-five.

Those who consider attentively the constitution of the Venetian State, as it was established A. D. 1298, and as it subsisted till the close of the seventeenth century, (its repetition in the eighteenth should not be taken into consideration,) will, I apprehend, be convinced, that its fundamental defect consisted in the too aristocratical principles on which it was raised. This

) *Duces primam populi acclamationibus eligebantur.*
Justin.

) *Primus Seb. Zianus ab undecim Electoribus electus.* Bern. Justin.

cannot be sufficiently lamented; for never did there exist finer materials for a true Republic than at Venice, situated as the city was in *Lagune*, too shallow for a hostile naval force to approach; too deep, for an army to wade. The state was not overgrown; the people, singularly attached to civil institutions, united to much of the firmness of the old Roman character, the best ingredients in the modern Italian. They constituted, for many years, the *forlorn hope* of Christianity against Mahometism. Their naval commanders were not inferior to the Genoese; their military, were perhaps superior; for they were placed in more trying circumstances; witness the moment when Venice was at the brink of ruin; when Peter Doria sent his insulting message to the Senate; when the Doge Contarini did all that lay in his power to avert the miseries of war; which when he found impossible, he nobly put himself at the head of his countrymen, revenged himself on the Genoese at Chiozza, and almost defrayed the expenses of the war with th

spoils : witness the ever memorable siege of Candia, than which history has nothing more brilliant on record. Nor were the Venetians less distinguished in the arts of peace. One of the Loredanos was much envied for his eloquence; and a Mocenigo who was ambassador at Rome to Charles V. so pleased the Emperor with his oratorical powers, that he called him the Demosthenes of Venice; and Charles was no mean judge. The panegyrics of their Doges, and other great men, which were pronounced in Latin, make a nearer approach to the Ciceronian style, than any thing of the sort that has fallen under my observation. Their historiographers are better than any that the rest of Italy can boast; the Florentine alone excepted.

Their school of painters, though somewhat luxuriant and meretricious in their manner, will be admired wheresoever civilization exists.

No where was Architecture better understood than at Venice. Her Sanmicheli, her Sansovino, her Palladio formed a style

which may be called *Venetian*, and if not so chaste as the Greek, is far superior to what obtained at Rome, or Naples. Her sculptors and casters in bronze, though inferior to the Florentine and Roman, executed works of very high merit; witness the monuments of the Doges, and other great men, in the Church of I forget what Saint, opposite the bronze equestrian statue.

The mole of Palestrina, that stupendous work undertaken and perfected AUSU ROMANO, ÆRE VENETO, and which the expiring Republic raised as her own monument, will brave the fury of the Adriatic for ages.

The Venetian statesmen and ambassadors were of the first order (1). It is impossible to contemplate their portraits as transmitted to us by the pencils of Titian, Paul Veronese, Tintoret, and the Palmas, without being impressed with a sense of their superiority, and dignity. This was in part to be attributed to the happy

(1) *Venise une pépinière des hommes d'état. Wicquefort*
Venise l'école et la pierre de touche des ambassadeurs
 — *Amelot de la Honssaye.*

genius of the people, and partly to the *Broglio* having been a school of *political Peripatetics*, who there met to discuss the interests of the Republic, and doubtless to further their own. The title of *Gran Broglista* was assigned to those who were the best disputants, or most adroit speculators in this political Lyceum.

Read the history of the Republic, and see how her statesmen disentangled their country from the most fearful dilemmas.

The *civil* weapons with which the little Republic of St. Mark parried the strokes of the overwhelming league of Cambray, was one of the most imposing spectacles which the political world ever exhibited. It was the diplomatic field of Marathon. Venice reaped more true glory from that contest, than did Napoleon furthering his projects at the head of fifty victorious legions.

Nor were the Venetian envoys less distinguished for their firmness than adroitness. Some of them, who united to their *functions* a military command, suffered

and suspended in the arsen
but dreadful trophies! laid
of Virtue herself at the feet
Dominante; a title which sho
ving birth to such illustrious

But the medal has alway
The too great ascendancy
cracy engendered numerou
sittings of the tribunals wer
their verdicts, too severe. W
of the unjust accusation a
tion of Carmagnola withou
we reflect with terror on
~~winners~~, on the poisonings,

The Doge.

The Senate.

The Grand Council.

would have had the Doge elected for life, he old constitution ordained ; and he old have been drafted indifferently either from the Senate, or Grand Council, under the same restrictions as those provided for my Consul. Immediately then the demise of any Doge, writs of election should have been issued, signed by the *Cancellario di Venezia*, and *il Presidente del Gran Consiglio*, with the seal extending the winged Lion with the motto : *ex tibi Marce, Evangelista meus*, » annexed to each of their signatures. These writs should have empowered the *Podestats* of Venice, and the towns in the *Terra firme* to convene on a stated day, the principal landholders, none of them members of the Senate, or Grand Council, or holding any office under the government, to assemble on a stated day, in the palace

of St. Mark, and there to compose by ballot, the electorate of the Doge. The simple majority of votes should have named the Doge.

Il Cancellario di Venezia should have been President of the Senate; and he should have been elected by the Senate itself.

The Senate, or the *Pregadi* as it was called, which like the Roman, was composed of three distinct orders, I would have retained on its former elective principles. I would however have wrested from « these potent, grave, and reverend seigniors » some of their prerogatives, and transferred them to the Doge, whose office was rather a punishment than a recompense. He should not only have received the ambassadors as formerly, but like my Consul, should have appointed the ministers, who should have formed the executive administration of the Republic, independent of the Senate, or Grand Council. These ministers should have been responsible; the Doge himself too should have been responsible, and like the Presi

of the American States, liable to confirmation, with the votes of two-thirds of Senate, and Grand Council.

Amelot de la Houssaye an expert diplomatist, assigns as one of the causes of decline of the Republic of Venice, too numerous body in which the executive power was vested. The whole Senate consisting of three hundred members, hindered the executive ; the consequence that their measures were too often retarded by deliberation ; and the enemy more than once at their gates, while they were debating on the course to pursue ; but this defect would have been remedied, had the executive power been constituted :

Cancellario di Venezia, or President
of the Senate.

Presidente del Gran Consiglio,
President of the Grand Council.

Provveditore generale del Mar,
the Minister of the Marine.

Il Provveditore generale della Guerra, or
Minister at War.

Il Provveditore generale del Interiore, or
Minister of the Interior.

Il Provveditore generale del Fisco, or Mi-
nister of finance.

*Il Provveditore generale delle Opere publi-
che*, or Minister of public Works.

The two last to be always members of the Grand Council ; these, with three of the Senators, and as many of the Grand Council, named like the Ministers, by the Doge himself, should have formed the executive administration.

The Doge, instead of being all his life a state-prisoner, consigned to his keepers like a lion in a *Ménagerie*, should not only have been permitted, but required to visit occasionally the towns in the *Terra firma*, where his presence no doubt would have checked numerous abuses.

Il Cavaliere del Doge corresponding with my Consul's introducer of ambassadors,

should have been the only officer of state attached to the person of the Doge. His *Gastaldo* or handkerchief-thrower was nugatory, unnecessary.

The Grand Council should have been wholly different. Instead of being a body of Nobles, having scarcely no shade of distinction from the Senate (1), it should have been composed of deputies elected from, and by the Venetian people, and the inhabitants of the towns in the *Terra firma*. Venice might have deputed six; Verona, Padua, Vicenza, Treviso, Bergamo, and Udine, four; the minor towns, two. The Grand Council renovated by a trien-

(1) Its prerogatives indeed were distinct. The right of making and repealing laws, of electing magistrates, and the minor Councils of the Republic, of confirming, or annulling the elections of the Senate, was vested in the Grand Council. The Senate had the prerogatives of making war, and concluding peace, of fixing the value of monies, of imposing taxes; the entire disposition of the finances, and the absolute patronage of all offices, civil, military, and naval.

Grand Council ~~by the~~
ties from the people , th
have been greatly palliate
No doubt some spirite
Padua , or Vicenza , would
that incredible number
Grandi, Savii Dieci, Savii s
why so many as forty jud
presided in each of the
Law; why that *fungus* of
should have existed; which
the executive power , m
wisely instituted enough.

With regard to the Church

which pious people, in the early ages of Christianity, made for charitable, or superstitious purposes. At first, there was but one; but the government afterwards added nine; and at a later period, there were *Procuratori straordinarii* ! So easilyajoled were the people, from their want of representatives.

The Patriarchate of Aquileia which had long dwindled into insignificancy, I would have abolished. The right of naming the bishops should have been wrested from the Pope. The Patriarch of Venice should have been Head of the Church; and he would have been elected by deputations from the ecclesiastical dignitaries of the different dioceses. The Bishoprics, of which more than six, I apprehend, would have been unnecessary, might have been, filled by the alternate presentation of the Doge and Patriarch of Venice.

The rest of the Church establishment as not ill arranged; for the Chapters distributed the Prebendaries, and the Parishmen elected their Curates.

functions should
those of my supreme
prerogatives should be
cial, and it should not
into a mischievous s
Those basilisks of
the State - inquisit
Mouth, which so d
Venetian liberty, an
of the right to the ti

(1) The decisions of this
sometimes as iniquitously
Tiberius : witness the murder
whose only crime was his
accused of treason, which
ged to be false : *Sit divus*,

have been exterminated. *Sarebbero state spente.*

Venice however beset as she was by numerous enemies, foreign as well as intestine, might have occasionally required the introduction of a law similar to the *Habeas corpus* suspension in Britain. The sittings of the Senate and Grand Council might have been sometimes also secret; but this would not have affected the public liberty, had the State possessed an assembly of representatives.

The mode of enacting laws should have been as follows :

Every law should have originated as in the old Republic, in the Grand Council. As soon then as put to the vote, and carried therein, it should have been referred to the consideration of the Senate, and if obtained the majority, the law should have been valid; if it there was thrown to the minority, a *Supreme Committee of Revision* should have been balloted for in the following manner : one hundred of the members of the Senate, and as many

of the Grand Council should have rendezvoused in a committee-room. One hundred and fifty-nine black balls should have been thrown into an urn, together with forty-one white; the urn should have been then handed alternately to a Senator, and member of the Grand Council, and the drawers of the white balls should have formed the committee; to which the proposed law should have been again referred, and according as the votes inclined, the law should have been passed, or negatived.

The laws thus passed, as well as the public acts, I would have promulgated in the name of the Doge.

In the interval between the death of any Doge, and election of his successor, *il Cancellario di Venezia* should have been vested with absolute power *pro tempore* like the Roman dictators; accountable however for his measures to the Senate, and Grand Council.

The Courts of Law should have been established in the *Procurazie*; the professors and students might have been divided in

distinct classes ; and the judges, who should have gone their circuits at least annually in the *Terra firma*, should have been elected from one of the upper classes, by the members of the subordinate.

The trial by jury, with my suggested improvements, should have been adopted.

The Consuls of the Republic, whom I would have termed *Factors*, should have been named on elective principles (1).

(1) The following is the mode of election which I would propose for every commercial state : every candidate for the Factory must have attained the age of thirty-five years at least, and he must have been engaged in commercial business not less than ten years. All the heads and partners in commercial houses rendezvous at the exchange ; and the majority of their votes should confer the Factory. — This method of naming the Factors must be attended by signal advantages to commerce, for during the course of my travels, (and they have been extensive) I have had occasion to remark this office filled by individuals, some *hopeful second or third cousins*, scarcely acquainted with the rudiments of book-keeping. « *Well, Gentlemen, who's to be Factor at Vera Cruz ? Who at Aleppo ? Who at the new Republic in the Andes ?* » These are questions which would tend to cement commercial relations ; which ought



APPENDIX II,
CONTAINING
NOVUM TENTAMEN
POLITICUM.

From a M. S. in Constantine's Portfolio.

APPENDIX II,

CONTAINING

DVUM TENTAMEN POLITICUM.

As has been advanced in favour of a tricorporal State, a question may be asked whether or no a system of civil polity might not be advantageously established without a Senate. It may be worth while at least to make the experiment in Italy.

CONSTITUTION DUAL,
Consisting of
PRESIDENT. = A GRAND COUNCIL.

*The Presidency elective, septennial. —
Candidates for the Presidency to be members
of the Grand Council, and subjected*

*merous. — Renovated by a t
tion. — The President to have
voice. — The legislative power
solely in the Grand Council.
cutive, in responsible ministe
the President. — No Nobles.
of Excellency to be attached
of the President ; that of H
the members of the Grand Co
legal arrangements as in my
Eunesos. — The Church est
consist of a Patriarch , or
Church, to be named by the G
Rectors, and Curates.— The Re*

The above reads plausible ; but I suspect it could not be successfully adopted by an old state of considerable size ; there would be scarcely distinction enough. And where-soever numerous distinctions have been once grafted, men will not easily acquiesce in a too simplified system ; but I apprehend it might be adopted with success by a *new* state ; and I humbly submit it to the consideration of the brave Americans, who are unfurling the standard of independence from the precipices of the Cordilleras of the Andes. — May those mountains, like the Alps, prove ramparts to new seats of industry, freedom, and ELECTIVE CIVIL CHIEF MAGISTRACIES !



APPENDIX III,

CONTAINING

A

ARGUMENT ON HIERARCHIES.

from a M. S. in Constantine's Portfolio.

European family will discover sooner
the beneficial policy of electing,
nation, its own Head of the Church.
endless scandals would have been
Christianity, had the Pope been al-
Head of the Church in the Roman
only; the Archbishop of Toledo, in
the Patriarch of Venice, at Venice;
Patriarch of Lisbon, in Portugal; the
Bishop of Rheims, in France; the
Bishop of Canterbury, in England! It is
ordinary that nations have not been

able to find out that the dogmas of a Religion may be the *same*, while the visible Church may be *different*.

FUNDAMENTAL RULES.

Hierarchy always separate from the super-temporal power.

The visible Head of the Church to belong to, and to be resident in each nation.

To be drafted from the Archbishops, Bishops, by the votes of delegates from middle ecclesiastical ranks.

To tack on boldly to the executive power an hereditary hierarchy ; to insult the world by affirming, or as much as affirming that it is unnecessary to fit the minister by previous study, and religious meditation for the filling an office of such high importance ; finally to confer it on his sanctified successor as a thought, and deed ; that could have originated from the head and heart of that bloated compound of sensuality and cruelty, the eighth Henry of England.

He dared do more than may become a man; he dared do more — and was none.

But Europe has yet much to learn; and let us hope that she will derive instruction from the tongue and pen; while the sword is left to rust in the sheath, or lies reddening in the furnace, to be beat into reaphooks and scythes.

ADDENDUM

CONTAINING

TWO EXTRACTS OF LETTERS FROM CONSTANTINE TO EUGENE.

EXTRACT I.

..... On reconsidering my plan of getting at the Electors for the nomination of the Consul of my Republic of Eunesos, I do not feel quite satisfied with it; not that its principle is bad, but if the two Houses of the Legislative were full and numerous, it is evident that it would not furnish an adequate number of Electors. The following I hope, you will find an improved method :

Let *a* express any one of the smallest or least populous counties; *b*, the next in size, or population; *c*, the greater or more populous than *b*; and *d* the largest, or most populous of all.

a then should depute to its town-hall five of its principal landholders, and five of its principal fundholders; from each of which five, one *Elector* should be balloted for. *b* might depute to its town-hall ten of its principal landholders,

and as many of its fundholders, from each of which ten, two Electors might be balloted for. *c*, observing the same ratio, would depute twenty of each description to its town-hall; from each of which twenty, four Electors might be balloted for. *d* then would depute forty of each description, from each of which forty, eight Electors might be balloted for. — This plan would ensure a sufficient number of Electors to get at the sense of the *elect of the people*, and would probably furnish a number tantamount, or nearly so, to the Houses of the Legislative, which was to be obtained.

EXTRACT II.

..... So much for my private concerns. Three weeks ago, when at New-York, I witnessed a sight which will never be effaced from my mind. It was the entrance of our illustrious President into that city. Dressed in his plain coat, leather breeches, and boots, he passed through the streets, mounted on his white road-horse. He was not shut up in a gold coach; much less was he preceded by hussars clearing the way with naked sabres. — The national militia was

drawn out to receive him; and he passed all the lines, without the least ostentation. His complexion is swarthy; his countenance expressive of that aptitude for business, which so eminently distinguishes the Virginians, betrayed, it is the marks of anxiety, the consequence of a laborious attention to the duties of his office; which of the spectators were sorry to observe.

« On his front
Deliberation sat, and public care. »

All felt that he was the *elective President of the United States*, the temporary occupier of the most august office on the face of the globe. He appeared a father returning into the bosom of an immense family. — I shall never forget the Honourable James Monroe entering New-York. It was a sight, my dear Eugene, fit for Cæsar himself to contemplate with delight and admiration.

Ever your's,
CONSTANTINE.









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